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ANTI-TRUST LEGISLATION.

COMBINATIONS of men and of property for business purposes, in any form whereby competition is restricted, are now called "trusts." This current employment of the term has no relation to its etymology: it is slang, developed by hasty writing in the press and by careless speaking on the platform. It is pitiable to see a beautiful word, representing a beautiful idea, perverted to become a term of opprobrium. In its origin, "trust" was from the same root as "true" and "tryst." It signified a thing upon which confidence was bestowed. The "trust" known in courts of equity was the support and protection of the widowed and the fatherless. As the word is now applied, "trusts" are denounced as an abomination and a national disgrace.

Strange as it may seem, the first use of "trust" in its present application was strictly correct. Individual stockholders in several corporations competing in the same line of business, or conducting varieties of business related to the same ultimate product, transferred their stock to a group of persons who held it as trustees for all, under an agreement which assigned a proportionate value to each share of stock so contributed; this value being represented by "trust certificates," signed by the trustees. The trustees controlled the operations of the several companies of which they held the stock by exercising the voting-power thus accumulated in electing directors and officers for each such company; and they distributed the earnings of the combination to the persons who had entrusted them with their shares or to their assigns. The new legal entity thus organized was correctly denominated a trust.

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It probably did not occur to the framers of the first organization of this character—less than twenty-five years ago—that they were inventing an enemy to the human race. Undoubtedly, any man may sell or lease his property to his neighbor, or may transfer to another person his business or its revenues. The right of individuals to consolidate competing industries by forming copartnerships has never been questioned. Combinations of capital in the form of corporations have been made easy by liberal legislation in every State. No restriction has ever been placed upon the amount of values that may be thus amalgamated: corporations having stock amounting to hundreds of millions of dollars have been incorporated under general laws. There was no apparent reason why the stockholders of two or three or more corporations might not legitimately do what two or three or even hundreds of individuals were doing every day; namely, consolidate their capital, and unite their energies in a common cause.

Certain perfectly legitimate advantages were obvious. The owners of two or three oil-refineries, for example, uniting their capital and adding establishments organized for the manufacture of barrels, for the ownership and operation of pipe-lines and of special forms of cars and vessels, and for other necessary processes, could reduce expenses of management and operation, could direct all energies to a common end, and could promptly overcome all difficulties in the way of transferring crude petroleum from the well to the consumer's lamp. Each of the several members knew his own business thoroughly. All possible by-products could be utilized. The plan was in every way attractive on its face, and was apparently legitimate and unobjectionable.

The legal power, however, of one corporation to hold stock in another corporation, unless specially authorized, was doubtful. Otherwise, one of the several corporations whose plants it was proposed to amalgamate might perhaps have bought up the stock of the others; and the public would never have heard of the trust. This obstacle was one of form only and not of substance. It was arranged that all the stocks of each company should be assigned to trustees, who should act together in producing the best results for the capital of each constituent member.

There was nothing to alarm the public mind in the formation of the first trust or of other trusts that soon adopted the same idea. There was no essential difference between combining several corporations into a trust and combining several men into a partnership or into a corporation, which, in substance, is a more convenient form of partnership, with limited liability, and which does not expire when a single member dies.

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In itself the trust was a convenience merely. It was a combination of capital in a new form, designed to effect economies and to increase efficiency in an age when large resources were required in order to accomplish the most desirable results.

What has since happened? To begin with, the competition between two or three or more companies was, in each instance, done away with. This was little regarded at first, because such elimination of competition was frequent in cases where partnerships or corporations were formed; but afterward it was made the crux of the question. Next, unfairness in business methods was charged; it being alleged that prices were reduced to extremely low figures, in order to crush out competition of others by forcing them to sell, or to restrict their territory. If this was so, it was the employment of methods which are not criticised when used by individuals: it was that free and unrestricted competition which modern laws now seek to compel. Again, although prices were in some cases reduced, in other instances they were advanced unwisely. Finally, the plan was a financial success; large profits were made; and the beneficiaries of the trusts became very rich.

Probably this last was the most important grievance: extraordinary wealth in unexpected hands excites, first, jealousy; next, suspicion; and, ultimately, hostile action. Yet it has never been unusual for individuals to amass great fortunes. Compared with the aggregate wealth of the country at the time, the fortune of George Washington was greater than that of our present millionaires. The relative number of the very rich in the United States, and the relative amount of their riches, are said to have been greater in 1840 than in 1890. The condition of the poor—not the pauper poor, but the industrious poor—is better than in past decades, by reason of the fact that the purchasing-power of wages is greater than before. Many critics of the present time are frankly honest in denouncing the acquisition of large fortunes as in itself hostile to the public welfare. One enthusiast has recently painted on the rocks of the Rockies the words "Limit Wealth" and other apothegms of like import. For the purposes of this discussion, it is enough to say that inequality of gifts and of property holdings is unavoidable in the present organization of the human family, and will continue to exist until the fundamental structure of our social system shall have been overthrown, and human nature itself deadened to a level of absolute mediocrity.

Public opinion, influenced by the press and the talk of the hustings, presently became inflamed against these new methods. Many were moved by the consideration that they had been left behind in the prog-

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ress of events and that their own identity had been made less conspicuous. Many more were affected by sympathy for those who had thus been left behind in the race. Many others still were moved by dissatisfaction and envy. Argument in such case is idle. When ordinary standards vanish, it is natural for men to seek to restore them. Legal processes under then existing laws were seen to be wholly inadequate to cope with the new situation. Legislation was appealed to. The evils that originated in the Trust system were considered as subjects to be attacked. The method of attack selected was an attempt to obtain legislation which would extinguish trusts altogether. Both political parties undertook to extirpate them, root and branch. It was made unlawful for the capital stock of several corporations to be held in a single ownership. Under the operation of such laws many trusts were dissolved, and the formation of others of like nature was prevented. The point of restricting competition was seized upon. Trusts were termed "combinations in restraint of trade"; and all such combinations were made illegal by statutes, both State and Federal.

Strictly speaking, these were not combinations in restraint of trade; for the volume of trade increased and enlarged under their influence. They were, however, combinations in restraint of competition in trade; and this was assumed to mean the same thing. Whereas, under the common law, the restraint of competition was illegal, when its results became injurious to the public welfare, the belief to-day is almost universal that any restraint of competition by agreements among competitors is of itself against the public good. The original trust was one form of such agreements. Other forms, differing in organization details, were devised, to which the name of "trust" was applied: other laws were enacted in turn to crush them. To-day the struggle between law and the methods of business men appears to be extreme. The question whether commercial necessities can be subjected to statutory control seems to be again on trial. In the past, whenever the ultimate struggle came between the requirements of trade and the demands of human law, the latter and not the former always gave way.

It is a fact, however, that the most usual form of trust, so called, in the present day is not in direct conflict with the existing laws. It is in conflict with the theory of the present statutes, but not with their letter. Anti-trust laws do not prohibit the alienation of property: under our written State and Federal constitutions no law can do so. A man's property is as sacred against legislative action as is his life. The right to its enjoyment includes the right to use it or to sell it: in which case

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it may be used by the buyer as his own. The trusts now formed are organized by transfers of titles, not of shares of stock: in other words, they are not trusts at all, in the proper meaning of the word. In lieu of the holding of corporate stocks by boards of trustees, it is now usual to organize a new corporation,—readily accomplished under the statutes of every State,—which buys the property, not the shares, of as many other corporations, firms, or individuals as wish to sell. The new corporation directly owns the factories, mines, and warehouses of which consolidated management is desired. The case is the same as if the sales were made to a single individual.

As will readily be seen, this accomplishes a much closer amalgamation than was proposed in the original trust idea. At first, the several ownerships were preserved distinct: now, all individual titles are extinguished. Formerly, shares of stock in many companies were held in the vaults of the trustees: now, the safe of the new corporation is stuffed with title-deeds. It is not too much to say that this method was forced upon the business world by the Anti-trust legislation of which the last ten years have been so prolific. Men do not like to part with their titles; but, on the other hand, they do not like to be violators of the law. Rather than break the law, they will do what the law does not deny them the right to do. They, therefore, alienate their estates, and accept corporate securities or cash therefor.

Surprise has often been expressed that the formation and operation of trusts on the present plan are allowed by public officials to proceed, when so many Anti-trust laws exist in every statute-book. The reason is very simple. The present methods are not in contravention of the present laws. Proceedings against any well-considered rearrangement of titles, by which several owners have sold their various properties to a single purchaser, would be idle. The enactment of new laws undertaking to cope with the subject in its modern aspect would be found extremely difficult. While constitutional amendments have been adopted in various States, forbidding the consolidation of certain public corporations, it will be a long time before State constitutions will be so modified as to prevent the sale of two or more private business industries to the same purchaser. This would be to authorize the legislature to prevent a farmer from buying the property of one or another of his neighbors; or a country merchant from purchasing the stock in trade of his rival across the street; or a capitalist from acquiring a group of mines located on a common vein.

Apparently, therefore, we have reached an *impasse*. The law has

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been invoked to no purpose; a point has been reached where law can go no further. Simply stated, the situation is this: Men have been driven by some power higher than the law to find a legal method of accomplishing a given result which legislators have endeavored to prevent; the method devised is one which they would have preferred not to employ; its adoption has been compelled, because all other methods were made illegal.

What, then, is the commercial force that has driven business men to this position? The answer is easy, when the subject is broadly viewed. Laws cannot subdue the natural effort to overcome the violence of excessive competition.

Competition at the close of the nineteenth century is industrial warfare between men and between nations. Formerly, international commercial intercourse consisted in the purchase abroad of what each country could not produce at home. Now, a struggle exists between many countries for the markets of the world,—not only for the markets of those countries which do not produce the articles in question, but for the sale of products of all kinds at the very doors of domestic manufacturers. The United States distributes much more of its merchandise in England, in Germany, and in France, than in South America and the Orient. Switzerland sells watches in Waltham; Philadelphia builds bridges in the Soudan; Australia, Argentina, and our Western States compete in London with the English farmers' beef, mutton, and wheat. Nor is this only an international matter. When our American colonies were young, each was practically sufficient unto itself. Barring a few importations, chiefly of luxuries, there was little interstate commerce until the railroads came. Now, our interstate exchanges are almost fabulous in amount and almost infinite in value. All this international and interstate competition is of recent date and is the result of modern transportation facilities. And it may be said, in passing, that modern transportation facilities are the outcome of the introduction of coal into general usefulness: coal is the giant which has upset the business methods of the world, and overturned the theories of its economists.

Like every other natural process, competition works out an average result. When inadequate, its absence is felt to be unfortunate; when excessive, injury ensues. The same is true of food and drink, of sleep and exercise: there can be too much of any good thing. In former times competition required stimulation: at the present day it needs regulation. And the best regulation is that which can be obtained by agreements among the competitors themselves.

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Agreements among competitors for the amelioration of their competition began with the development of competition in excess. Competition becomes excessive when it is so severe as to threaten the extinction of any of the competitive factors. When competition is forced to this limit, it becomes self-destructive. Two competitors in trade, pursuing their rivalry until profits disappear, next endeavor to drive each other into bankruptcy. When either goes down, the other has a clear field; and there is no more competition. Their competition was clearly excessive.

Hence, it was always held, in well-considered common-law cases, and it is held by the courts to-day, that agreements among competitors for the amelioration of their strife, which operate to enable all the competitors to continue in the field, without at the same time advancing prices unjustly, or otherwise affecting the public unfairly, are not contrary to public policy.

As usual, however, legislation has attempted to uproot the conditions out of which abuses have seemed to grow, instead of attempting to regulate the abuses.

Moreover, legislators have forgotten the efficacy of time as a solvent, and the reserved power in competition itself to correct such evils as may arise under agreements for its limitation.

Efforts to relieve the excessive and dangerous stringency of modern competition were designed in their inception to benefit chiefly the weaker competitors and to preserve their independent existence. It was the men most in danger who most earnestly sought to agree with their neighbors on business methods. Strong competitors felt a consciousness of their strength; while the weaker saw themselves gradually slipping down the hill to the pit. This was true of all industries. The railway pools which were prohibited in the Interstate Commerce Law were arranged primarily for the purpose of assuring to the weaker lines a certain reasonable proportion of traffic in dispute. To prohibit such arrangements is to sacrifice investments which the public has invited for the construction of competing roads.

A recent competitive struggle between the leading newspapers of a Western city resolved itself into a fight for supremacy, in which a price of one cent per copy was made by all, and all were losing money. One of them, whose downfall was expected, announced a proposed sale to a purchaser from abroad whose purse was long. This called a halt; and prices were restored to a reasonable basis. Other agreements exist between the same concerns respecting the wages to be paid, the number

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of pages to be printed daily, the amount and quality of illustrations to be used, and other matters of detail. Yet these very papers each and all denounce unceasingly the formation of agreements among other business men, which, in their character and object, are identical with their own; and they demand from legislatures the passage of laws designed to make competitive conditions more severe. The practical necessity of such agreements in these modern days is shown by their universality. They were employed in every business or industry, from labor to banking and insurance.

What has been the practical result up to the present moment? The right to make agreements among competitors having been taken away by law, actual consolidations have been made in almost every branch of business; a procedure being now adopted which counsel advise and business men understand is not in contravention of the recent statutes. These laws were devised chiefly to prevent the amelioration of competitive conditions by tentative measures applying to this or that single feature of the strife. The war-cry has been the maintenance of free and unrestricted competition. In order to surmount the statutory obstacles which bar the way to the formation of temporary agreements that, while regulating competitive excesses, preserve the fact of competition in its essence (or in order to evade those laws, if that form of expression be preferred), competitors found themselves driven to the plan of selling their titles to a newly organized unit, thus extinguishing the competition forever. This legislation was ill-advised; and its result has been disastrous. The natural laws of trade and commerce would in the long run have afforded ample protection. Legislative interference should have taken the form of regulation, not of prohibition.

But far worse than this has happened. When it was perceived that organizations of this character could be safely formed, and that the elimination of competition thus accomplished could be relied upon as permanent, a new field was opened for the promotion of schemes of the most varied natures. This field has been cultivated with activity, not merely for the purpose of protecting competitors against excessive and ruinous strife, but more especially for the extraordinary profits that may be immediately obtained. Plan after plan has been put forward in which extravagant values have figured as the basis on which going concerns in all parts of the country have been sold to some new corporation organized to buy them; and immense volumes of stocks and bonds have been floated in which good-will and promoters' profits have not failed to be fully represented. Stock markets are flooded with securities in which

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over-capitalization is not denied. These enterprises are commingled with others of a more solvent nature; and a season of advancing values, in which capital has freely sought investment, has made their distribution to the public possible. Very often the prices affixed to junior securities have been much below their apparent par. A reference to the columns of any financial paper will show how this matter stands to-day. Not only do many combinations of this kind stand approved, by their being listed in the various stock exchanges of the country, but also curbstone quotations are daily given for "outside securities, industrial and miscellaneous." Common stocks range at all prices from 5 to 75; while preferred stocks are given a relatively higher basis. Frequently, there are mortgage bonds in priority to the stocks thus quoted; and statements of earnings and expenses are seldom furnished. This situation is what beclouds the legitimate security market at the present time. Who can foresee or prophesy the result?

The direct consequence of Anti-trust legislation has been bad enough; for it has compelled men owning legitimate business industries to give up the effort to continue their business as distinct and independent units. The indirect result is far worse; for it has pointed the way to the development of a flood of illegitimate schemes, and has induced a new fever of speculation.

The worst feature of the situation thus created is that a mischief has been worked for which no remedy exists. The repeal of the anti-trust laws would do little good, because methods have now been introduced which will be continued, even if all the laws which occasioned their adoption were at once stricken from the statute-books. The case affords one more example, if another is needed, of the danger lurking in every attempt to control commercial methods by uncalled-for legislative interference. We are governed too much.

Eventually, no doubt, the more speculative of the recent amalgamations will disappear. In business enterprises success or failure is largely a matter of management, depending upon the character of the person at the helm. Theoretically, the best man in the service of the various consolidating interests should be accepted to manage the combined properties: it is doubtful whether this has always been done. The new conditions require the employment of the most inflexible conservatism; but aggressive business men are more likely to come to the front than those who are cautious in their methods. Not infrequently a pyrotechnical career goes out in smoke.

A just complaint against the new methods is made on account of

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the exclusion from activity of many competent and level-headed men, who have judiciously managed small concerns and who now find themselves out of employment. This is the natural result of the economies in management expenses which are obtainable through the joint ownership and operation of properties previously distinct. On the other hand, an opportunity is offered to the public whereby the smallest investor may become a partner in large concerns, by the purchase of stock in the corporation owning the consolidated enterprise. Instead of the accumulation of wealth and power in the hands of a single individual, or of a firm controlling an important business, we now find a corporation of much greater capital controlling several such concerns combined in a single title. Nevertheless, the actual result of the formation of these new corporations is often a dissipation among many persons of ownership that was before in the hands of a few.

A surprise is likely to be experienced in reference to the attitude of labor organizations toward what are now called trusts. It is apparently assumed that laboring-men are naturally hostile to such corporations and that political parties can safely rely upon securing votes by antagonizing trusts; but it is beginning to be found that the more sagacious leaders of labor do not so view the matter. On the contrary, they perceive that these trusts furnish steady employment at good wages, and are more to be relied upon by their employees than would be a diversity of more independent but weaker employers. Moreover, labor unions are coming to recognize the fact that the producers—workmen as well as managements—are alike interested in reaping the best results from the product of the plant, and that the laborers' share is more likely to be maintained, and even increased, if prices are reasonable than if prices are unduly reduced by competition.

Another side-issue growing out of the formation of multitudinous trusts is their effect in respect to discriminations in railway rates. The suppression of every unjust discrimination of this character has long and properly been regarded as the most important *desideratum* connected with railway management; and the greatest difficulty in the way of the accomplishment of this at the present time arises from the power possessed by large shippers to make or mar the prosperity of railway lines, through the diversion of their traffic and through the unscrupulous use of this power, in order to obtain illegitimate concessions and unreasonable advantages in the shipment of their goods. Every trust which is organized increases this difficulty by enlarging the volume of traffic controllable by a single authority. It has become a frequent

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statement that the trusts have the railroads by the throat; and neither the fact nor its importance can be denied. Yet even this difficulty may in time be surmounted. It might be accomplished by legalizing that class of contracts between carriers which assures to each a reasonable share of competitive traffic or of the earnings therefrom; in other words, by authorizing pooling contracts, which would put the carriers on an equality with the trusts, so far as such organizations might be established applicable to traffic in dispute. Moreover, there is a tendency in the opposite direction to that last above noted, which should not be overlooked. Enlightened self-interest will in the end materially ameliorate this trouble. It has been frequently stated by railroad men that a certain very prominent trust accepts no rebates, and insists that the established rates be maintained without deviation either in favor of itself or of any other shipper. Its belief apparently is that it needs no better competitive field than the one which is offered under an absolute equality of railway rates; that facilities and economies give it all the advantage needed, provided only that no other shipper receives better rates than itself. This is sound logic and good sense. In time, other trusts will recognize the wisdom of this position, and, instead of demanding favors for themselves, will insist that no favors be granted to their competitors. No trust has yet been formed which absolutely controls the competitive field in its own product, except where protection is given by letters patent.

This subject opens many other new lines of thought and conjecture, of which space does not permit mention. The leading idea which I have endeavored to formulate is this: that inconsiderate legislation respecting trusts has induced evils far worse than those which it attempted to remedy.

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TRUSTS IN EUROPE.

THE business combinations known as "trusts," whose increasing preponderancy and extraordinary influence in the United States have for a number of years so closely engaged the attention both of statesmen and of people, are not new phenomena in Europe. On the contrary, the combination of several concerns for the attainment of ends to which the powers of the individual firms are inadequate, is so natural a process that its early adoption in matters of industry, commerce, and transportation can be readily understood. A hundred years ago there existed in England penal ordinances directed against unions which, like our modern trusts, sought to fix prices or to secure the monopoly of certain branches of industry. In Austria the Penal Code of 1852 (some of the provisions of which are still in operation) declared industrial combinations equally punishable with labor unions. If, therefore, such legal measures were so early instituted against trusts, we must assume that the latter were not only actually in existence, but had already begun to exercise an unfavorable influence.

Before entering upon the discussion of the Trust movement in the various countries of Europe, I wish to emphasize the fact that trusts of the magnitude and influence of those now so numerous in the United States are as yet rare in the Old World. Far more frequently do we meet with industrial combinations of small or moderate dimensions; and the formation of these is largely a necessity by reason of competition and underselling, which are carried to such a degree as to injure all parties concerned.

Occasionally it was the state itself, and very frequently indeed the cities, which, by awarding public contracts to the lowest bidder, encouraged an unsound system of underbidding, and thus laid the foundation of the Trust system. On the other hand, it is this custom of underbidding for public contracts which has led to legal enactments against trusts, as, for example, in Russia and Austria, inasmuch as the firm organization of these combinations is calculated to counteract the principle of public contract by maintaining a high rate of prices. Thus the legislative opposition to trusts is by no means always prompted by ideal

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considerations for the public weal: more frequently it proceeds from the fear that these organizations may exert an injurious influence on the interests of the administration.

It is in Germany, however, of all European countries, that trusts have spread most extensively and have been most successful. Whoever may have expected to find England in this leading position should be reminded that the German states, in respect to the tremendous increase of industry and the extraordinary growth of their great cities, bear the most striking resemblance to the United States, and furnish the most fruitful soil for the growth of industrial combinations. Germany has earnestly endeavored to open up to industry all her natural resources and to utilize every outlet, both foreign and domestic; and her efforts have been most successful. On the other hand, the rapid extension of industry in many departments has led to overproduction and to that unsound system of competition which, in Germany as in America, has contributed so largely to the creation of trusts.

The German technical journals for 1897 enumerate about one hundred and eighty trusts, of which, it is true, only a few would correspond to American ideas, but all of which demonstrate a capacity for wider combination and fuller development. Owing to the fact that the smaller combinations are constantly uniting to form larger units, in order to increase their financial power and to enlarge their circles of influence, the number of trusts in Germany is somewhat diminishing. At the same time, the former loose methods of a reciprocal policy are now being superseded by a rigid organization, the provisions of which may not be so easily broken through caprice or from any motive of self-interest on the part of the individual members. Thus, a species of private monopoly—the genuine trust—is gradually becoming more common in Germany; and here and there organizations are springing up, which, on account of the power they exert, may become a menace to the public weal and may well arouse the interest of our people and legislators.

It may also be stated that trusts are most powerful in those departments where they are few in number, and that wherever a great number of these combinations exist they are usually of local rather than of general importance. Of the latter nature are the corporate enterprises in such trades as brick, stone, plaster of Paris, glass, mortar, etc. There are about forty organizations in these departments of industry to-day, most of them of a local character, and designed for particular provinces or cities. Of these trusts—in the wider sense of the word—it may be said that, by hindering unlimited underbidding, they have proved an

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actual blessing to the trades concerned, without becoming a menace to the public welfare.

A stronger tendency toward large and comprehensive organizations is noticeable in those branches of industry which, dealing with natural products, are confined to a certain locality, and are consequently in no danger of competition. Thus, our chemical factories and our iron-rolling-mills are in a high degree subject to the formation of trusts; and certain branches of these industries already constitute a sort of monopoly in Germany as well as in Austria.

As regards great industrial combinations, the most striking advance has been made in the German coal industry; the most prominent organization in this department being the Rheinisch-Westfälische Kohlensyndikat, which is distinguished by the characteristics of a genuine trust, exercising within its sphere of activity almost unlimited power. Like the American Standard Oil Company, it directly controls the sales, leaving the matter of production entirely to the separate companies. Under the innocent title of "eines Vereins zum Ankauf und Verkauf von Kohlen" (a society for the buying and selling of coal), this trust has, for the past five years, completely controlled the West German coal industry, and dictated prices.

The German and Austrian rolling-mill unions, the trusts of the chemical industries, as well as the most important French trusts,—the latter embracing more particularly the iron, petroleum, and sugar industries,—have all adopted this method of selling conjointly by means of a central bureau, in order to dictate prices and to deprive the individual members of every vestige of independence. No member of such a trust has a right to take or to fill an order, whether at wholesale or at retail. Each order must be referred to the central bureau, which then assigns it to the separate factories according to their location or their facilities. All accounts must likewise pass through the central bureau.

It is undeniable that an equitable division of production among the various members of a trust may in this way be best secured. It is, however, almost impossible for non-members of the organization to fight against such overwhelming odds; while, at the same time, the public is completely debarred from entering into negotiations with the individual firms, however great the excellence of their particular products may be.

The activity and extension of trusts in Germany has not yet led to serious apprehensions or open hatred on the part of large portions of the population such as now appear to exist in the United States. Although aiming primarily at the establishment of better prices, German

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trusts cannot be accused of the exploitation of the public at large or of the working-classes.

As regards the establishment of prices, also, the trusts have hitherto displayed a wise moderation. Their further development, therefore, although subjected to the close scrutiny of the public and the legislature, has not yet given cause for legal interference. Indeed, the legal weapons for such a procedure do not yet exist.

Moreover, the enactment of laws against these industrial combinations would, in Germany, be attended with serious difficulties, inasmuch as several states—more particularly Prussia—are directly interested in these organizations. The German Kalisyndikat (Potash Trust), for instance, controls, in addition to a number of private mining interests, the fiscal quarries of Prussia and Anhalt; and various measures devised by this trust and condemned by public opinion—I refer particularly to the arbitrary exclusion of foreign competition through underbidding—have been endorsed, not only by private, but by the state syndicates as well.

In Austria and Hungary trusts have not yet extended so rapidly. Nevertheless, on various occasions several of them have given rise to such unfavorable comment that the sentiment in favor of a legislative restriction of the movement is to-day much more pronounced in the Austrian than in the German Parliament. The Austrian Sugar Trust, which, after a brief existence, was dissolved because of disunion among its members, and which, like its German namesake, never again attained to prominence, created much unfavorable comment by reason of the high rates which it imposed.

Again, a number of these trusts, more particularly those in the iron industry, have been severely censured because of their attitude toward working-men. In several cases also, international alliances between German and Austrian trusts have been formed in order to establish one boundary-line for both countries, so as to prevent any interference with trust prices through imports from other countries.

Both in Germany and in Austria trusts have been organized, not only in the domain of production, but in that of transportation also. The railroad lines, it is true, by coming under Government control, have become monopolized and have been withdrawn from private ownership. As regards water transportation, both inland and transoceanic, however, several very extensive enterprises have recently been formed; and these, it must be admitted, have brought about a disproportionate lowering of freight rates, and have mostly led to a raising of tariffs. A

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similar union has been formed on the part of the railroad lines carrying the transalpine trade between France, Austria, Switzerland, and Italy; and this union also aims at the abrogation of the injurious warfare of competition and at the equitable distribution of traffic along the several lines.

As far as England is concerned, it must be admitted that, notwithstanding her great industrial activity and a competitive warfare not less pronounced than that of other states, the Trust system has as yet found but tardy acceptance in that country. This is doubtless due in some degree to the thorough application of the principle of Free Trade; for it is well known that the largest trusts are powerless unless their interests are secured by a protective tariff excluding from the home market the products of foreign countries.

Furthermore, we should remember that in England the principle of individual freedom is regarded as inviolable. There, it still obtains more widely than in most other countries; and the majority of British merchants consider the principle involved in the formation of trusts as a serious menace to the freedom of the individual. Therefore, such enterprises—more particularly when they aim at the raising of prices and the suppression of foreign competition—are subjected in advance to the most unfavorable criticism.

Attempts have already been made toward the consolidation of entire branches of industry, of which coal-mining, sugar-manufacturing, and the automobile may serve as examples. Indeed, there can be no doubt that such cases would rapidly multiply, in the event of the adoption of a moderate tariff in lieu of the present Free Trade system,—a change now strongly agitated in England.

France is a country in which the Trust system has long flourished and assumed extensive proportions. In the iron trade, great trust companies—local in their character, it is true—have existed for the last twenty years; and the most powerful of these, like those of Germany, limit their activity to the establishment of sales-depots. The chemical industry of France, like that of Germany, is now controlled almost exclusively by combinations; and this is true of several other lines which, in most other European countries, have as yet either successfully withstood the formation of trusts, or in which the trusts have dissolved owing to disagreement among the members. The bottle-glass and sugar-refining industries may serve as examples. Several international trusts, such as the Zinc Trust, also have their headquarters at Paris.

Belgium, like France, is interested in most of the international trusts;

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and there, as in France, the Trust system has been successful largely in those enterprises which, in other industrial countries, have hitherto maintained a stubborn resistance to the inroads of the Trust.

As the industrial development of the southern European states is comparatively unimportant, and as there are comparatively few indications of trusts in the small states of the North,—except perhaps a few successful ones in Denmark,—it only remains for us to glance at Russia.

The advance of this powerful nation to an industrial position commensurate with its political importance has been achieved only within the last few decades. Yet, simultaneously with this advance, we may perceive the growth of the same evils observable elsewhere under similar conditions; namely, a powerful and poorly organized industry, overproduction, strikes, and, following in the train of these, trust combinations.

It is true that the Russian courts, like those of many other countries, do not recognize the formation of trusts as legal; and in many instances vigorous proceedings to guard the interests of the poorer classes have been instituted against the smaller corporations,—more particularly against those organized by jobbers for the purpose of the uniform raising of prices. But in Russia, as elsewhere, the small thieves frequently are hanged in order that the greater ones may escape; and the powerful trust combinations in iron, brandy, sugar, and petroleum have apparently never encountered the slightest resistance on the part of the Russian Government. On the contrary, many of these corporations have been organized under the protection and with the assistance of the Government.

When, in 1885, the sugar industry, in consequence of overproduction, had been brought almost to the verge of ruin, the large and influential manufacturers succeeded in inducing the Government to fix the annual legal output of the raw material; whereupon it became an easy matter to apportion the quantity to be produced among the great factories, and thereby to close the smaller ones. A few years later the prices of Russian sugar had, in consequence of this trust, advanced so far beyond the prices prevailing in the markets of the world, that in 1892 and 1893 the Russian Government, in order to guard against so great an injury to the public, deemed it advisable to purchase about 2,000,000 poods of sugar abroad. This was sold, on account of the Government, to the Russian people, the Government realizing a net profit of 3,250,000 rubles by the transaction. The favorable provisions guaranteed to

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the Sugar Trust regarding production and importation were, however, left unchanged.

With the aid of the secret coöperation of the Russian Government the Oil Trust in Baku was established several years ago, with the object either of combating the influence of the American Oil Trust or of combining with the latter for the purpose of mutual advantage.

In respect to the economic value of trusts in Europe, it may be said that the influence exerted by them, both for good and for evil, is, in its essential features, similar to that exerted by the trusts of America. This statement, however, must be qualified to the extent that in Europe the unpleasant features of trusts have not yet become so sharply accentuated as in the United States, where they have recently given rise to violent agitation against these corporations.

Most of the protests against European trusts have emanated, not from the people whose interests were made to suffer from the increase in prices, but from those competitors which the trusts have endeavored to oppose and to crush. This is noticeable wherever the Trust system is still in its infancy; for the indiscriminate suppression of non-organized competition is always regarded as the primary task of a newly established trust. Only when this is accomplished can the corporation proceed without interference to dictate prices successfully, and to institute operations which have been stigmatized so frequently in America, and occasionally also in Europe, as exploitations of the public.

This economic war which precedes the full exercise of power by trusts is, like every other war, full of injustice, oppression, and suffering. But the first effort has yet to be made to mitigate or to abolish this warfare; and it would seem as if legal measures in this direction belonged to the most difficult tasks—aye, to the impossibilities—of politics.

The most powerful weapon employed by trusts against their competitors is underbidding,—the same weapon always employed by great corporations controlling the means of production against their less powerful rivals. To place legal restrictions upon the exercise of this weapon would be to cripple forever the freedom of industry and trade. Even those trusts in which governments are interested have not been able to dispense with this method of suppressing new organizations not associated with trusts. If we regard the Trust enterprise as an inevitable, and in time to come a universal, economic institution, we must be prepared to accept as an unavoidable necessity the destruction of older and less perfect economic organizations; and our main object should then

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be to see that, in the interest of the weaker members, the process of transition be consummated as gently as possible.

Another objection very frequently urged against American trusts is, that, in order to diminish production, they close their factories,—not impelled thereto from necessity, but merely from a desire for greater profits,—thus rendering thousands of working-men breadless. This objection, also, becomes more or less invalid when applied to European trusts. None of the latter is powerful enough to exercise unlimited jurisdiction regarding dictation of prices for extensive districts; and under these conditions it is still possible to repair the damage resulting from any considerable limitation of production.

It is true that complaints regarding the coercion of working-men by trusts are occasionally heard in Europe also. On the whole, however, it cannot be asserted that these complaints are always justifiable. The powerful labor organizations, strikes, and the desire of the working-men in various ways to impose their will upon their employers, have induced the latter to form similar organizations among themselves in order that they may maintain their independence.

In an impartial criticism of trusts it is necessary, of course, after discussing the evils attendant upon them, to refer also to the benefits which they have conferred upon our entire economic system. It cannot be said, even of the most powerful trusts, that they have secured all the economic advantages which we were led to expect from their organization. They have not abolished overproduction and industrial crises; yet it must be admitted that they have made a good beginning in this direction. Nearly all trusts that actually exercise complete or partial control over the production in a certain district—in other words, all those which have vanquished outside competition and have, by favorable tariff laws, guarded against the danger of importations—have, as a rule, soon succeeded in establishing a more favorable relation between production and consumption than is usually found amid conditions of unlimited competition and unrestricted production. Even an experience of a very few years, such as that possessed by the Rheinisch-Westfälische Kohlensyndikat, for example, will enable the officers of a trust to make a fairly accurate prediction as to the prices and the output for the coming year; in this way guarding the interests of the members against the dangers of overproduction, underbidding, and the accumulation of surplus unsalable material.

Incomparably greater, however, are the advantages secured by the Trust system with regard to improved labor processes and the lowering

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of prices. Equipped with the best machinery and adopting the latest methods; possessing all the advantages of a vast corporate system in its most perfect form; controlling the cheapest raw material; and—not the least important consideration—released from the expense of advertising (an expense inseparable from free competition), a trust becomes enabled to operate at a cost of production far lower than would be possible in the case of any individual enterprise. Instead of entirely closing certain factories, there is to-day a general tendency among European trusts toward a perfect distribution of production, each factory turning out one particular product of the highest degree of excellence. Herein largely lies the secret of the great financial successes of the trusts.

Notwithstanding all that has been here said in favor of trusts, it is undeniable that they are fraught with many dangers to the common weal, which, under the leadership of greed and avarice, might become very serious. Such symptoms have been observed in Europe; and they have already led to a very careful examination, on the part of our political economists, of all such laws as may be brought to bear against the existence or the activity of these combinations.

The Penal Code of the German Empire contains no provisions applicable to trusts. Even if such laws should exist, the participation of certain German states in the above-mentioned trusts would be difficult to justify. The deliberations on this question at last year's session of the Reichstag showed that the German Government was not disposed to go further in the matter than quietly to observe the further extension of the trusts and their influence.

In the Austrian Penal Code for 1852 industrial combinations were declared punishable. The provisions of this law, however, were annulled by the Koalitionsgesetz of 1870. Only such combinations are now regarded as punishable which aim at intimidation or coercion; yet this ordinance is so general in its character that it may be easily evaded by any trust desirous of crushing its unorganized competitors.

The civil law of Austria contains yet another obstacle to the development of trusts; namely, that all agreements or contracts formed by industrialists for the purpose of raising the price of goods, or injuriously affecting the interests of working-men, are declared null and void. But this ordinance has never prevented the formation of a trust, nor hindered the abuse of its authority.

Trusts avoid any appeal to the law in support of the validity of their contracts. Without invoking the law, they seek, by demanding security, to bind the members to their agreement; and even in cases of un-

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faithfulness on the part of members, a trust prefers rather to endure losses than to resort to legal measures.

Under these circumstances, it is now considered timely in Austria and Hungary—where the fear of excesses on the part of trusts has recently found loud expression both in the press and in Parliament—to institute rigorous measures against these corporations. A Bill to this effect was recently submitted to the Austrian Diet. This Bill advocates state jurisdiction over trusts, and aims at the prevention of those which may restrict the sale of goods upon which indirect duties are levied by the state for the purpose of revenue. The Hungarian Government is now occupied with similar measures against trusts.

Although these states are somewhat vain of the fact that they are the first in Europe to make an advance toward a legal regulation of trusts, it is easy to perceive that they have been actuated not so much by a solicitude for the public welfare as by the fear of a diminution of the public revenues.

The other countries of Europe have as yet done little or nothing to define the judicial status of trusts. In England there are no penal ordinances against them; and the civil law confines itself to declaring their contracts null and void, whenever the latter conflict with the freedom of traffic or trade. Such a proceeding, however, would only be necessary in those instances where a certain branch of industry had become completely monopolized by a trust; and matters have not yet gone thus far in England or on the Continent.

That the shareholders of a trust have nothing to fear from the law in France is evident from the fact that even the members of the notorious "Copper Ring" were declared innocent by the Court of Cassation.

Of Russia, finally, whose position in the matter has already been amply discussed, it may be said that the desire of the Government to elevate the country as rapidly as possible to an industrial status equal to that of her neighbors now takes such precedence over all other considerations that a trust able to subserve this purpose would be likely to meet with assistance, rather than resistance, from the Government.

It is evident, therefore, that a systematic judicial procedure on the part of European countries against trusts is still very remote. Nor have the latter as yet attained sufficient power to justify rapid and energetic measures. For some time to come we may confine ourselves to a close observation of this great movement; and in the meantime we in Germany shall have an opportunity of profiting by the experiences of the United States.

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THE PROBLEM OF POLICE ADMINISTRATION.

THE police forces of New York and other American cities have for years past been accused of corruption, inefficiency, and neglect of duty. In New York in 1894 the truth of the accusation was publicly demonstrated; and at the present time it is conceded on all hands—with boasting by some and with deprecation by others—that the city is "wide open."

Such a condition may result from corruption (that is, from an official partnership with crime) or from neglect (that is, from a mere failure to enforce the law) or from inefficiency (that is, a lack of ability). In New York it has never been charged that the police force lacks ability; but obviously such a lack exists in many of the suburban districts of Long Island, Westchester County, and New Jersey, where highwaymen and burglars sometimes operate so boldly and successfully as to compel the citizens to organize vigilance committees and patrols. For many months robberies, burglaries, and assaults have been common in New York; and the news from the surrounding districts indicates that metropolitan criminals have been visiting the country. In one case, we see conditions of lawlessness existing in juxtaposition with a large, able, and well-paid police force: in the other, their existence is due to inadequate police protection. It is stated that within fifty miles of New York there are communities where acts of lawlessness are not punished because the local police officers are such only in name, lacking both courage and the instinct of law enforcement. These police conditions are a surprise and a mystery to Europeans. Such abuse of power and neglect of duty as are common with us are unknown to them.

Earnest efforts have been made to reform the police administration in different cities, especially in New York, and these efforts have been successful in improving conditions and in creating healthy public sentiment; but improvements in political control have always suffered relapse. A peculiar difficulty in the way of permanent police reform in New York city lies in the character of the dominant political organization. In no other great city—possibly excepting Chicago—are the political principles of the dominant faction so selfish; and it is no sur-

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prise when a Tammany administration undoes the police reforms of a previous administration.

The revelations of police depravity in New York city in 1894, which shocked the world, shamed the State of New York; but she refrained from radical interference then, as she does now, on the plea of allowing "Home Rule." Tammany, noting the tenderness of the public conscience for that great principle, and the fondness of reformers for it, has never ceased to clamor for its application, while making home indecent, uncomfortable, and unsafe. Let us concede the beauty and the beneficence of Home Rule, and the unwisdom of continual meddling by the State with the ordinary domestic affairs of communities; let us admit, for example, that a community should have freedom in such a matter as the expenditure of its money for public improvements;—still, are there not some functions of government that must not be entirely surrendered to localities, but must be retained by the State for the welfare of all its members and for its safety and good name?

Many of the functions which slipped from the State, as urban populations increased, have been resumed by common consent for the welfare of all; and the State now guards many of the common interests of its citizens, for which purpose it invades, not only local governments, but private business affecting public interests. This guardianship is exercised through superintendents, commissioners, and boards. Let us notice some of the instances.

A superintendent of banks and a superintendent of insurance protect the people's financial interests represented in the moneyed institutions. The superintendent of banks has charge of all the banks, bankers, trust companies, building and loan associations, mortgage, loan, and investment corporations, and safe-deposit companies in the State. Their business is closely restricted by the law; the superintendent may visit and examine them at his will and at their expense; and they all need his license to do business. When he has reason to believe that capital has been impaired, he may require it to be made good; stockholders failing to pay their assessment for that purpose may be sold out; and banks failing to comply with the order may be closed for insolvency. If he has reason to conclude that a banking business is in an unsafe or insecure condition, he may seize and close it, and proceed against it for insolvency. No trust company can be started unless he is satisfied that it is expedient and desirable to establish it. The fire, life, accident, marine, title guaranty and credit, fraternal, animal, and coöperative insurance business is watched by the superintendent of insurance, who acts under

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an elaborate law that minutely controls it, and provides for examinations, permits, etc. The resources of the business thus controlled by two superintendents amount to thousands of millions of dollars; and the greater part of those resources is located in New York city. There is no outcry against this exercise of the powers of the State in financial matters.

The business of our railroads is regulated by State law, and is subject to investigation and control by the State board of railroad commissioners at the expense of the companies. The liquor business, great in volume and resources, is subject to the State excise commissioner. The sale of milk, butter, and cheese is regulated under stringent laws, enforced by State officers, who inspect dairies, factories, farms and their products, destroy condemned milk, detain and kill diseased animals, bees, and fruit-trees, and quarantine places where cattle have infectious diseases. The Factory Law, containing provisions for the comfort and safety of operatives, especially of children, is enforced by State factory inspectors. The work of the common schools is systematized and unified by the Consolidated School Law, which is enforced by a State superintendent of public instruction; and the colleges are subordinate to the State university, controlled by the board of regents.

Various superintendents and inspectors enforce the Domestic Commerce Law—as, for instance, the State superintendent of weights and measures, the director of the State agricultural experiment station as to commercial fertilizers, agents of the comptroller as to auctions, and the comptroller in the matter of licensing persons to peddle.

Prisons, lunatic asylums, charitable institutions, almshouses, and all other eleemosynary institutions are under the visitation and control of various State boards and officers.

The practice of law, medicine, dentistry, veterinary surgery, pharmacy, and accounting, and teaching, peddling, and saloon-keeping are subject to examination and licensing by State officers; and the public service of the localities and of the State is under the careful regulation and control of the Civil Service commissioners.

There are a State board of fisheries, game, and forests, with its fish and game protectors and foresters, its "State Oyster Protector," and "Protector of the Waters of the Thousand Islands," a State inspector of gas-meters, a State mining inspector, a commissioner of statistics of labor, and State boards of commissioners, pilots, and port wardens, having jurisdiction of New York harbor.

The State board of health is one of the notable branches of the State

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government. It has succeeded in its purpose of unifying the work of local health boards and of maintaining a high standard in public health throughout the State. The board and the system are worthy of special attention in our consideration of the Police problem; for the health department is so closely allied with the police department that, in the city of New York, the president of the police department is, *ex officio*, a member of the health department. The establishment of the State health department was necessary; and its maintenance continues to be vitally important because (1) the health conditions of every locality affect the entire State, (2) the local health boards are of various standards of ability and efficiency, (3) local boards are apt to be moved by the desires and the interests of their respective localities rather than by the interests of the State (as in the Barren Island nuisances), (4) the State may be greatly injured by the laxity, negligence, or corruption which may prevail in localities, and, more than all these, because (5) in a great, enlightened, and progressive State there is needed for the good of all a uniform, wise, and energetic public health policy, coextensive with the territory of the State.

In New York State contagious disease can find no place where it is free from the repressive measures of the health board,—measures the best and most effective that can be devised and enforced. It is provided by the Health Law that "the State board of health shall take cognizance of the interests of health and life of the people of the State and of all matters pertaining thereto." It is directed to make inquiries in respect to the causes of disease, especially epidemics, and to investigate the sources of mortality, as well as the effect of localities, employments, and other conditions upon the public health. It is also directed to collect and preserve such information relating to mortality, disease, and health as may be useful in the discharge of its duties, or may contribute to the promotion of health or the security of life in the State. It is authorized to issue subpœnas, to compel the attendance of witnesses, to administer oaths to witnesses, and to compel them to testify without payment of any fees. It may reverse or modify an order, regulation, by-law, or ordinance of a local board of health concerning a matter which, in its judgment, affects the general public health. For sanitary purposes, it exercises exclusive jurisdiction over all lands acquired by the State. It has charge of a State system of registration of births, marriages, deaths, and prevalent diseases. It is empowered to recommend forms and amendments of law in these matters, and, if necessary, to enter a locality, take control of the registration there,

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and enforce its rules and regulations. It has all necessary powers to examine into nuisances and questions affecting the security of life and health in any locality; and, on its report and recommendation, the governor may declare matters to be public nuisances, and may order them to be changed, abated, or removed, the expense being paid by the municipality where the nuisance occurs. In any locality which fails to establish a board of health the State board may act at the expense of the municipality. It reports annually to the governor the vital statistics and the sanitary condition and prospects of the entire State. By consistent legislation, the work of the local boards of health is harmonized with the general oversight and control by the State board of health; and in certain localities they are required to report all cases of smallpox, typhus and yellow fever, and cholera, and the facts relating thereto.

The board has jurisdiction in the matter of adulteration of food, drink, and medicine in all parts of the State; making analyses, promulgating regulations, prosecuting for violations of the law, and in some cases destroying articles condemned by its agents. It is empowered to avert and suppress contagious diseases in animals throughout the State, and may destroy cattle and horses having tuberculosis or glanders. It has, in every part of the State, jurisdiction over potable waters and their sources, to protect them from contamination, and for this purpose has great power over the various sewerage systems; being authorized to compel municipalities to adopt methods of disposing of their sewage which shall not endanger health in other communities that use the water. The powers of the quarantine commissioners and of the health officer of the port of New York (who is an *ex officio* member of the city board of health) are often exercised, to the inconvenience of the residents in the city and its suburbs, for the general good of the people of the State. In the system of Public Health Law there are provisions for the examination and licensing of physicians, dentists, veterinary surgeons, and pharmacists in all the localities of the State.

The greater the State, and the greater its urban population, the more extensive is its system of State inspection, oversight, and control.

After looking over the many revisions and codifications of law in New York State, under such titles as State, Executive, Legislative, County, Town, Municipal, University, Banking, Insurance, Corporation, Agricultural, Public Health, Fisheries, Insanity, Poor, State Charities, Election, Tax, Indian, Consolidated School, Condemnation, Public Officers, Highway, Domestic Corporation, Military, Liquor Tax, Domestic Relations, Benevolent Orders, Canal, Transportation, and Civil Service laws, and

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after noting the multitudinous State boards and officers who are deputed to carry the laws into effect throughout the different localities in the State, we look into that division of the State's police powers which in reason we should most expect to find carefully regulated, to wit, POLICE, and in Birdseye's "Revised Laws" we find just this statement:

> "The organization and regulation of the police in the cities and villages of this State are governed by special statutes."

There is no "Police Law," nor any semblance of it; and, consequently, there is no uniformity in the State, either as to the *personnel* of the men, the organization of the force, or the spirit of law enforcement.

The police function is preëminently a State function. The criminal law, which it is the business of the police to enforce, is State law; the process which they execute is issued in the name of the people of the State; and the offences charged in complaints, indictments, and warrants are alleged to have been committed against the peace and dignity of the State. If there be a necessity for a uniformly thorough, honest, and efficient health administration, with powers reaching into every corner of the State, the need is greater for uniformity, efficiency, and honesty in the exercise of the duty of the State to protect its own good name, and the lives, limbs, peace, and property of all its citizens.

When this suggestion is made, the answer is, "Let us have Home Rule"; but that, in its fullest measure, would give us a mass of separated and discordant municipalities, and would make of our commonwealth a mediæval state. It is intolerable that in the State of New York (as in many other States) in the nineteenth century there should be hundreds of square miles in which there is practically *no ordinary police protection*, and that in some of its greatest cities, owing to corrupt, negligent, inefficient, or purely partisan control, there should be scandalous mismanagement of well-equipped and expensive police forces, —mismanagement so notable as to tarnish the record of the State in the eyes of the whole world. If it be the duty of the State to require any locality to be healthy, so that contagion may not spread and the travelling public may be safe, it is equally its duty to require every locality honestly and efficiently to enforce the State laws, so that moral contagion shall not spread, and that the people may not be swindled, badgered, robbed, assaulted, or outraged.

What a contrast there is between the American States, with their patchwork of police administration, and England, France, and Germany, with their uniform and systematized police machinery.

Whether we should have a State police force, in addition to our local

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constable or police systems, is a question worthy of careful thought. Our militia is substantially a State police force, though not on constant duty nor under continuous and regular pay. It forms a second line of defence to the property and interests of the State, and at times has rendered signal service in protecting life and property when threatened by rioters. The latter service, however, might be better performed (evoking less resentment) by a regular State police, or by local police mobilized under State auspices.

But, whether we are ready for a State police or not, the time has come when we must unify our police system, and put it under the observative and corrective influence, if not the control, of a regularly established department of the State government; and this can be done, without seriously invading the Home Rule idea, by an adaptation of the plan of the Public Health Law, and by a codification of rules and principles having general application to police forces throughout the State.

If the State should undertake, by a properly equipped bureau, the collection of criminal statistics, the observation of criminal conditions, the regulation and unification of police procedure, the examination of law enforcement and police administration in localities, and the summary removal of incompetent and unfaithful police heads, leaving the localities to replace them,—this work being done by investigation, conducted privately or publicly at discretion, with an efficient subpœna and a direct contempt power,—no corrupt police department could stand; and every flagging, negligent, and inefficient department would certainly be brought up to its highest power.

The course advocated is to enact and enforce such a law, and, if that should not prove to be all that is desired, to supplement it by creating a small but carefully selected State police force, subordinate to the State bureau, and having power to go into every locality for the enforcement of State laws and the prosecution of derelict local police officials.

There is nothing against this plan, either in principle or in its practicability. The State has already done as much in many other directions (even district attorneys and judges, though elected locally, may be removed by State functionaries); but it is confidently expected that those who are directly or politically benefited by local police corruption and negligence will find many objections to it. FRANK MOSS.

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THE IRISH LEAVEN IN AMERICAN PROGRESS.

As far as race and genius are concerned, America's mantle may be likened to Joseph's coat of many colors. The hues, moreover, do not melt into each other very readily. Despite the subtle action of a new climate on physiological tendencies, the influence of new associations upon character, and the reaction of character upon physical traits, racial ear-marks are tolerably well preserved, especially in regions wherein there has been any considerable settlement of immigrants from the same country. While there is an undoubted tendency toward a distinctive set of national types, representative of the East and the South especially, the experienced ethnologist, or even the layman who has travelled considerably or has had much contact with other peoples, will have little difficulty in deciding from what stock the average native American has sprung. Constant infusion of new blood from the countries which supplied the pioneers retards the progress of general amalgamation.

The Celtic races are observed to be the most readily assimilable as colonists; and for this reason the task of following their fortunes through any lengthened period, or any obscuring vicissitudes of fortune, becomes much more difficult than in the case of others who are not so prone to fall in with new conditions or to yield to a false shame with regard to family names and places of nativity. An enormous number of the Irish who came to these shores belonged to the class who, from long decades of religious and social inferiority, had come to look upon themselves as living only on sufferance. Their spirit was crushed by social ostracism, absence of education, and absence of that healthy ambition which is to-day, in our political and commercial life, as the breath of our nostrils. Those people felt the reproach which, through no fault of their own, but through adverse accident, clung around the designation of "Irishman."

While some remained steadfast, others grew ashamed of their country; their children, born on American soil, grew still more ashamed of it; and this unworthy sentiment found expression, in very many cases, in the alteration of the family orthography. It is not contended that such alteration is in all cases the result of deliberation or design. The

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transformations in the spelling of family names, both in Ireland and in Great Britain, during the period since the Norman Conquest, have been quite as striking as those which can be so readily traced here, and, in many cases, are more unaccountable. But illiteracy, caprice, the development of a new language, mistaken heraldic derivations, and similar causes, were at the source of such varied spellings. Those causes were non-existent here, to a very large extent, when the great tide of immigration set in; hence, the frequently awkward "Americanization" of Irish names must be explained by the desire of the bearers to obscure or conceal the real source of their ancestry or, mayhap, their own immediate birthplace.

Although much controversy exists regarding the relative proportions of the immigration from Ireland and from other countries in early colonial times, it is certain, even from the crude statistics that may be gleaned from newspapers and official documents, that the percentage from Ireland was very large. From the early part of the seventeenth century the causes which give impulse to great movements of population began to be operative in Ireland. Those causes may be broadly summarized under three heads—religious, political, and agrarian. All three had been active in Ireland, particularly from the date of the surrender of Limerick. By the terms of that capitulation, about 30,000 Irish soldiers were put aboard English ships, to fight against England under the banner of France; and the folly of this singular transaction was exemplified in the constant stream, from that year (1691) down to the middle of the eighteenth century, of stalwart men from the southern ports of Ireland, to fill up the gaps of war in the ranks of the Irish Brigade. It is estimated that about 600,000 soldiers from Ireland served under the French colors, often with very disastrous results to the Power which inaugurated the exodus in those sixty years of national hemorrhage. The men who composed it were chiefly Celts of the South and West, a race with whom excitement and a love of military adventure have always been powerful springs of action.

But, simultaneously with this exodus, there was going on another from the North of Ireland, totally different in its character, yet having its motive in that restiveness under religious and political restrictions which spurred the youth of Munster and Connaught to seek relief in foreign turmoil. The Presbyterians of Ulster felt the gall of penal persecution for religion's sake no less than the Catholics of the South. The Test and Corporation Acts, which prevented Dissenters as well as Catholics from holding public office or taking seats in Parlia-

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ment unless by taking oaths in violation of their religious principles, pressed as intolerably on the Ulster Presbyterian as on the Catholic neighbor, with whom he was, however, unable to find any of the sympathy begotten of common suffering. Other causes besides religious disability moved the Ulster Presbyterians to seek a broader and more liberal atmosphere. They were an industrious and a skilful population; and they found their industry and skill rendered nugatory and vain by the selfish economic policy of England and by the avarice of the men who had obtained possession of the lands on which the Presbyterian colonists had been planted when the Irish inhabitants had been cleared out.

Many of the Ulster Presbyterians were no less skilful at the loom than in tilling the soil. The country was a hive of home industry; almost every cottier had a loom in his home as well as a spinning-wheel; and wife and daughter were busy making money for him at his fireside while he was busy in his fields. All at once the Irish wool trade was cut down by the stroke of a monarch's pen. William III had weakly yielded to the jealous promptings of the English woollen-dealers, who were being hard pressed by Irish competitors in Continental markets; and Parliament, at the Monarch's request, passed a law so effective for its purpose in the restriction of Irish woollen productions that the trade, then great and prosperous, has never recovered from the blow. Many an Ulster family was ruined by this selfish trick; and many who had the means to fly from Ulster took ship at Belfast or the Foyle, and sailed for the freer land across the ocean.

Then, again, when the colonists were planted, they had been guaranteed that stake in the soil and that right to the value of their own improvement of the land and the buildings they erected which to this day is known as "the Ulster custom," and which, down to a few years ago, was peculiar to Ulster. This right the tenant could, independently of the landlord, sell to another. But year by year the landlords encroached more and more upon the rights of the tenants; making their existence unendurable in many ways, so that the more high-spirited and well-to-do sold out their farms, and preferred a voluntary exile to a life of subserviency and toil for the benefit of others.

This was the stock which began to stream into New England and Pennsylvania from the middle of the seventeenth century down to the close of the eighteenth, and whose descendants form a large proportion of the citizens of the latter State at the present day. With the virtues of self-reliance, a love of freedom, frugality, and industry, they com-

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bined the vices of religious rancor, fierce and gloomy temper, and that disregard of human life which their early training among hostile neighbors had made a second nature. The Indian races had no deadlier or more relentless enemies than these men of "blood and iron" from Presbyterian Ulster. Parkman's pages are eloquent of their fierce battles along the frontier in pre-Revolution days, their indomitable energy, their sanguinary massacres of their red enemies, and their whole-souled belief that in exterminating the Indians they were doing the work of God; also of their bitter hatred of the Society of Friends, who always, by word and deed, endeavored to carry out the principles of William Penn and the chivalrous Irishman, Sir William Johnson, in all transactions with the doomed aborigines. This chapter of Irish-American history is not pleasant reading, except to those who hold that, in the rough-hewing of nations, all means are justified by the end.

A wave of a far different character was that which set in early in the present century from the South and West of Ireland. Under the impulse of wholesale eviction by rapacious landlords, and still more under that of recurrent famine in Ireland, a mighty stream of Celts from those regions was set in motion, and has steadily continued its course ever since. In large part, they belonged to the humbler tillers of the soil at home, and so furnished what the times needed here—healthy frames, hard hands, power of endurance in rough toil, and cheerful tempers. Besides these desirable physical qualities, they brought the higher moral ones of virtue and honesty. The purity of the Irish peasant girl is proverbial; and it was not long ere the value of the new immigrants was discovered by those who had need of help in the field or in the household. The readiness with which the earlier arrivals found remunerative employment, together with the money-help which they soon began to send home to their relatives, made the new land appear to their kindred an El Dorado; and so the stream which began in hundreds was soon swollen to thousands and, in a few years, to millions.

Unfortunately, all did not seek the field and the farmhouse: many lingered in the cities, to their own moral and physical ruin—a chapter of the story about which something may be said more appropriately further on.

But the Irish who began to flock into New England and contiguous States in early days were not all tillers of the soil and handicraftsmen. The liberal arts were fairly represented. Many of the most famous public men of Colonial and Revolutionary days had been taught by Irish schoolmasters. The most illustrious of these educators was, perhaps,

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the renowned Dean of Derry, better known by his later title, Bishop Berkeley, founder of the school of philosophy which bears his name. He was a native of Kilkenny, although generally included in the catalogue of eminent Ulstermen. Berkeley may be reckoned as one of those immigrants who conferred invaluable benefit on the American nation, because his mission here was at once philanthropic and educational. He came to found a college for the conversion and education of the Indians; it was at Newport, Rhode Island, that he wrote "Alciphron, or the Minute Philosopher"; and before he left these shores he bestowed on the then incipient college of Yale his magnificent collection of books—the finest that, down to his day, had been brought to North America.

In the year 1723 a Limerick schoolmaster named Sullivan appeared with a batch of Belfast immigrants. Mars as well as Minerva came with him; for on the voyage he had met an attractive Cork girl, whom he wooed and won. The pair settled in New Hampshire; and they had two sons, John and James, who played a great part in the Revolutionary struggle. It was John Sullivan who, as brigadier-general, made the fight on Bunker Hill possible by his gallant capture of Fort William and Mary, with its stores of powder and ordnance, and who had the satisfaction of commanding the Continental army when the British were compelled to evacuate Boston.

We find at least six of the signers of the Declaration of Independence descendants of men who came to the colonies in those early days, —all men of rank and of an education far beyond what is usually imparted in these more pretentious times. There was Charles Carroll, of Carrollton, whose famous newspaper controversy with Attorney-General Dulayne almost takes rank with the letters of Junius and the Drapier series of Swift. Robert Treat Paine, another of the signatories, was the son of an Irish gentleman named O'Neill, who had changed his patronymic in order to save an estate derived from his mother's family, whose name was Paine. He studied theology and law at Harvard, and was successively Chaplain to the troops, Attorney-General, and a judge of the Supreme Court. Thomas McKean, President of Congress, another of the signatories, was the son of Irish parents. Thomas Nelson, who also signed, was a descendant of Donald O'Neill, Prince of Ulster, who brought Edward Bruce to Ireland to aid in the expulsion of the English. He succeeded Jefferson as Governor of Virginia, and commanded the State troops during Lafayette's campaign against Cornwallis, down to the surrender at Yorktown. Another of the signatories, James Smith, was a

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gentleman of Irish birth; but from what province he came is uncertain. There is a similar uncertainty about the natal place of the Hon. Matthew Thornton, who also signed the Declaration. All that is positively known is that he was an Irishman by birth; that he was a surgeon in the Cape Breton Expedition, and subsequently became a colonel in the Continental army, a justice of the peace, a delegate to Congress, a justice of the Supreme Court, and finally Chief Justice of the Common Pleas.

The early colonial newspapers contain many advertisements of Irish schoolmasters, both Presbyterians and Roman Catholics. Philadelphia appears to have had much attraction for the pedagogues. The revenues of the port from the tax on immigrants must have been considerable, even in very early days. We find, from the official entries, that in the year 1729 the immigrants from Ireland numbered 5,655; while the Palatine Germans, next in numerical order, are set down at 343, the English and Welsh at 267, and the Scotch at 43. One remarkable fact stands out in connection with this influx at the Philadelphia entrepot. Although the Representative Assembly had passed some resolutions inimical to Irish Papists, still, when it came to actual legislation for the control of the influx, it took a sober second thought. A law was passed levying a tax of twenty shillings per head on "Irish servants" and of forty shillings on "foreigners." Thus there was no reference to "Papists"; and the Irish who came enjoyed a bounty over the Palatine "aliens,"—a fact which speaks powerfully for the good impression which the early Irish arrivals had already made. This prohibitory measure was short-lived, because it was found to be inoperative, as many people were landed at other places, and so got into Philadelphia without paying any tax; hence, the law was soon altered so as to be felt only by those who had been convicted of crime and by the pauper and idle classes.

American writers who have been studying the Social question as affected by the Irish influx are too prone to limit their field of observation to New England and the Eastern States. We shall find, if we inquire into the subject a little more closely, that the immigration from Ulster in the eighteenth century by no means represented the whole volume of the exodus from Ireland. There was a better record kept of the Ulster hegira; for the immigrants from that province, as a rule, kept pretty closely together, settling down along the borders of Pennsylvania and in New England. The Ulster Archæological Society has gathered very carefully the names of the principal families who shook the dust of the London companies from their feet and sailed away to a

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freer soil. But very little account was ever kept of the thousands of Irish men and women who were driven forth by a cruel fate from the other provinces during the long period of the penal laws.

When the sanguinary campaign of Cromwell in Ireland came to a close, about 40,000 Irish soldiers were deported to the European continent, to serve in foreign armies; but no provision was made for the wives of these men or for the widows of their comrades who had fallen on the field, and their numerous children. In this strait a number of Bristol merchants put their heads together, and made proposals to Cromwell's commissioners for the shipment of these unhappy beings to the tobacco plantations of North America and the West Indies. The offer was accepted; a sum of money was paid for each woman and child; and all were shipped off to what was to all intents and purposes a state of slavery. For four years the work of transportation went on; and during that time, according to Irish accounts, about 100,000 souls were transported from Ireland. The women sent were all marriageable, and the boys and girls of an age to labor. What became of these unhappy beings is as great a mystery as the lost Pleiad; but the fact, that in the island of Barbados to-day there are numbers of Negroes who speak the Irish language, gives a hint of the destiny of some of them.

Many more must have mingled their blood with that of the Virginia planters and the people of the adjacent States. It is said that several shiploads of these poor slaves were despatched to New England. The Thurloe State Papers mention that 1,000 boys and girls were forcibly seized in Ireland by Admiral Penn, and shipped to Jamaica as slaves. This was the first impregnation of the West with Irish blood in any considerable quantity; but it was soon to be followed by much more from the same fecund source. One of those periodical famines which devastate Ireland occurred in the year 1762; and many Southern farmers, hearing of the success of the Ulster emigrants in the New World, sold their stock, and took shipping for the same asylum of the unfortunate. The eloquent pages of Mr. Bancroft tell us of the persecution which awaited them in Maryland, the colony founded by Catholics on the basis of the broadest religious liberty; and we learn from them also of the liberality with which the State of Pennsylvania received them. New York, New Jersey, and all New England were up in arms against the new influx, on sectarian grounds; still, the immigrants continued to arrive and get a footing.

When the Revolutionary struggle came, the dawn of a better day came also for the Irish settler. His military value became at once

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apparent; and there was a general and spontaneous abandonment of the policy of persecution in his regard. When the war was over, there began a great rush of Irish labor to the port of New York; and it was the hands of those robust but rough toilers that dug the Erie Canal. From 1815 to 1845 two million immigrants had landed on the American shores. In 1846, the year preceding the most awful of the Irish famines, the immigration suddenly assumed enormous proportions; and from that period it has continued, with more or less of fluctuation, to be the main feeder of the vitality of this continent.

The spiritual, moral, intellectual, and physiological effects which this strange movement of a people has had upon our present social condition would lead to an inquiry of a most interesting kind, but too extensive for the limits of any one essay. It must suffice here to say that the spiritual phase of it is indicated in the fact that, under the generous non-interference policy of the American Constitution, the Catholic Church here has grown, despite vast "leakages" in earlier days, to a membership of at least 10,000,000 and to a position the most prominent and progressive of all branches of the great communion.

It is for others to speculate upon the direct and indirect consequences to religion which flow from contact with such a potent spiritual influence as this in the midst of a divided and heterogeneous aggregation of dissenting sects. It is not irrelevant to say, however, that, without the commanding force and softening attributes of the Catholic Church, the process of assimilating the multiplicity of incongruent races who flock in here would be almost hopeless. To say that the Irish element has been the most conspicuous in the building up of this mighty spiritual fabric is to say only what everybody knows. From the beginning of the modern epoch down to this very day, the greatest names among her hierarchy have been the names of Irishmen or men of Irish parentage, like Archbishop Carroll, of Baltimore, and Archbishop Hughes, of New York, who have been as patriotic in the hour of danger as the most intense of all the great laymen who toiled to build up the Republic. This is a theme for other pens: the moral influence, the intellectual endowments, and the physiological benefits which the Irish Celt has brought to the land of his adoption are written in more tangible characters. The Irish are a prolific race; and they are a moral race. To these cognate virtues they conjoin the fact of physical excellence. Anthropologists assign to them the highest plane in healthy manhood. The English race may, man for man, be the heavier; but the Irish Celt is the more muscular and the better built. The women of the Irish

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race have no superiors, in point of general comeliness, purity of life, and healthy femininity. To integrity of conduct they add a cheerful and sympathetic temperament which enables them to surmount all trials and to brighten the places wherein they find a home.

It is impossible to estimate the benefits which the coming of a people of such qualities as these conferred upon a decaying and moribund population such as existed in New England and many other regions at the period when the Irish immigration set in, like a physiological Gulf Stream, to arrest the downward tendency. Two eminent medical authorities in Massachusetts, Dr. Allen and Dr. Jesse Chickering, in analyzing the Registration and Census returns for that State thirty years ago, declared that, were it not for the foreign element, the population must in the course of a few decades die out. There had been in Boston, according to their analysis, no natural increase in the American population; and in every place in the State where Americans were settled the same startling phenomenon was witnessed. They raised the question whether this was due to a higher civilization or a lower physical condition of womanhood; and he would be a bold umpire who would undertake to decide this point. If a high civilization were the cause, there is no reason to think that the standard has been lowered since then, nor that the physical condition of American womanhood has been elevated; for the same paucity of numbers among American families is noticeable still.

It should be observed that the Census returns are misleading on this subject of foreign-born and native residents. Every one born on this soil is claimed as an American—and properly so, regarded from the point of view of citizenship and legal technicality. The children of Irish parents, if born here, are classed as American. A very cautious estimate of the number of Irish immigrants since the beginning of the century is four millions. There have been nearly four generations since then; and Irish families in this country are large,—probably seven children on an average would not be too high an estimate. In Ireland, where, because of poverty, the marriages are few, the average is five. Could we add to these four millions the hundreds of thousands who came from time to time in the preceding century, with any certainty of an approximate total, we might find ourselves confronted with the fact that one-half—possibly a good many more—of the people of this continent to-day have Irish blood in their veins. So much for the moral and physiological sides of the investigation.

It is unnecessary here to advert to the military branch of the ques-

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tion. The Irish, it is universally admitted, vindicated the stock from which they sprang, by the help they gave in the struggle for freedom and in the still bloodier struggle for the maintenance of the Union. They never attempted to evade assessment for blood-tax, but rather anticipated it on every occasion when the country stood in need of it. It is not to the rank and file alone, who poured out their blood so lavishly at Fredericksburg and on many another field of glory, that the purview of the Celtic historian is confined. The names of Meade, McClellan, Sheridan, Corcoran, Meagher, and Cleburne attest that North and South equally appreciated the military genius and enthusiasm of the exiled Irish race.

Many well-meaning writers blame the Irish for clinging so closely to the cities when they arrive here, rather than betaking themselves to the rural districts. There is no doubt that this tendency is far too general, and often productive of the most disastrous consequences, moral and material, to the immigrant. The chief underlying motives of such gregariousness are, however, creditable to the race. Residence in the rural districts, remote from cities or towns, meant too often, and still means, deprivation of spiritual solace. Priests are few, in comparison to the great extent of territory; and loss of faith too often accompanies the flight of the Irish Catholic family into the country, where there is no religious ministration.

Another reason why the Irishman too often hangs around the city is his extreme sociability. This is not the quality of wisdom, perhaps, from a Caledonian or English point of view; but it is a weakness that humanity in general might pardon.

The intellectual qualities of the Irish race, as known here, should be judged by their fruits. It has been denied that the Irish-American, either in the professions, in politics, or in trade, often rises to a high position. Generalities of this loose and sweeping kind are hardly worth the trouble of answering. It is not easy to pick out any individual of American birth, from the President down to the policeman, who has not some Irish blood in him. If we look to the law, where shall we find lights more brilliant than Thomas Addis Emmet and Charles O'Conor? The three most prominent members of the judicial bench in New York, up to a few months ago, were Chief Justice Daly, Judge Smyth, and Recorder Goff. Two of these, if not all three, are Irish-born. I believe there are hundreds of judges throughout the States whose legal standing is a living refutation of this shallow absurdity. The Hon. Bourke Cockran furnishes a proof that forensic ability and oratorical power and

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elegance are by no means irreconcilable with the fact of Irish nativity. Literature and art are as yet but young among us; but in what we have of it Irish craft is not altogether unknown. The names of Father Abram Ryan, the poet priest of the South, Theodore O'Hara, Thomas D'Arcy McGee, John Boyle O'Reilly, James Gilmary Shea, Fitzjames O'Brien, Maurice F. Egan, James Jeffrey Roche, Louise Imogen Guiney—to cull only a few from a goodly cluster—attest that Irish origin is no bar to the possession of the gifts of Minerva and Apollo. In the realm of art we have with us a Mulvaney, the great painter of "Sheridan's Ride," "Custer's Last Rally," and several other fine canvases worthy of the Versailles gallery; and we also have a St. Gaudens and a McMonnaies, whose Irish blood is well illustrated in the imaginative character of their work and in the versatility of their genius.

If race-values were to be determined by tabulated statements, the axiom that a country is actually the gainer by a certain number of dollars, by the arrival of every sound immigrant, would be shattered, so far as New York city is concerned, by some comparisons presented in THE FORUM for January last by Mr. Byron C. Mathews. It is shown that, out of a proportion of 12.6 of the inhabitants of New York city, the Irish-born population supplies to the almshouse of the metropolis 60.4 per cent of its inmates; and the fine sarcasm is therefrom drawn that the existence of the "distressful isle" is absolutely necessary "in order to maintain in New York an almshouse of the present magnitude." Against this, however, should be set the fact that the proportion of Irish-born who are inmates of the penitentiary does not exceed that of American-born. Mr. Mathews's figures are:

Inhabitants of New York City.		In Almshouse.	In Penitentiary.
Natives of U. S.....	57.76	14.6	62.0
Natives of Ireland.....	12.6	60.4	15.4

But in a country of imperfect development like the United States, public statistics are, after all, of little real value to the social student in quest of ethnic solutions. In some States and Territories it is not the real criminal classes who get into the penitentiaries. The lawless are the men in power; and the jail is only for the weaker antagonists of society. It was undoubtedly the custom of the British Government, in early colonial days, to ship off the criminal population of the mother-country and of Ireland to the colonies, under the penal process styled "transportation." Certain worthy people appear to imagine that the same state of things prevails at the present day. For instance, a clergyman named Tupper declared, in the course of a lecture delivered in

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Camden, New Jersey, last summer, that 74 per cent of the immigrants now coming from Ireland were of the discharged criminal class. The singularity of the percentage attracted public attention; and a Philadelphia editor wrote to Dr. Senn, Chief of the Bureau of Immigration at the port of New York, for official information on the subject. Dr. Senn, who is a German (if I am not mistaken), wrote immediately, denying emphatically that any such condition existed. The extraordinary character of the Rev. Mr. Tupper's charge, as shown in the difference between the actual percentage and the imaginary, ought to serve a useful purpose in making the public distrustful of statistics where no authority is quoted. *Less than a fraction of 1 per cent*, said Dr. Senn, could be described as of the discharged criminal class, owing to the searching system of supervision established at the port. The Irish immigrants, he added, in his published reply, were among the most desirable of all who arrived at Ellis Island.

This incident is extremely valuable as a gauge of the animus which underlies the demand for sweeping restrictive legislation for the exclusion of immigrants.

One fact of high significance must be considered in connection with present immigration from Ireland. Illiteracy can no longer be laid at the door of the immigrants. The schoolmaster is now abroad in the land of their nativity. Whereas the peasantry who swelled the exodus in early years had but scanty education, the population of to-day—thanks to the spread of the National School system in Ireland and the still more admirable one of the Christian Brothers—ranks as high educationally as the people of the most progressive European countries.

JOHN J. O'SHEA.

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AMERICAN ART COMING INTO ITS OWN.

SOME years ago a group of artists, one of them an American, stood at the end of a salon in Paris. A tall and exceptionally handsome man chanced to cross the room.

"Who is he?" asked one of the artists.

"Oh," said another, shrugging his shoulders, "he's only a banker."

What a world of difference this answer shows between the position of art abroad and here. Suppose the scene to have been laid in this country, a group of bankers standing at the end of a parlor, and an artist crossing the room. Would he not be "*only* an artist"? I am sure such would have been the case a few years ago. But now matters look more hopeful for American art; and were the American artist who is now recognized as one of the greatest landscape painters of his time still alive, and were he to appear at a gathering of men having the slightest claim to culture, a whisper would pass through the room: "That is George Inness." During the past few years American art has been coming into its own more and more; and certain events during the past twelve months have caused the nation to realize that there is such a thing as native art and that it is worthy of patronage.

That the awakening of national pride by the Spanish-American war has had something to do with this new attitude toward native art, there can be no doubt. Prominent artists themselves have admitted as much to me. But a far greater factor in awakening popular interest in American art was the Thomas B. Clarke sale of American paintings last winter. Then was shown for the first time a collection of canvases—formed in the course of many years by a man of acknowledged taste in art, a real connoisseur—all by American artists, most of them painted in this country and typically American in subject. That in itself was enough to arrest public attention. When it was observed that the average artistic quality of these pictures was very high, that many of them were obviously far superior to the foreign "pot-boilers" in which American millionaires had been investing for the past twenty-five years, and that there were several canvases unsurpassed by anything painted abroad within recent years—these considerations (or shall I say

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realizations), which were actually *forced* upon all who saw the collection, could not fail to have an inspiring influence upon American art. Fortunately, too, the prices realized at the sale proved that American paintings were valuable investments.

It is indeed a pity that commercial value must enter into any consideration of art. It would be much pleasanter to say that a picture is great simply because it is great. Fortunately, that is the result ultimately arrived at. Unfortunately, however, the general public has no means of gauging the value of a work of art except through the price which it brings in a competition between connoisseurs for its possession. Therefore, when, on the morning following the third night of the Clarke sale, newspapers all over the country chronicled in large headlines the fact that George Inness's small canvas, "Gray Lowery Day," had brought $10,150, the American public realized for the first time that America had produced a great artist. When the picture began to be discussed in the newspapers, it was learned that it had been originally bought for about $300. The enormous profit netted the collector naturally appealed to the American commercial sense. Prices of many other paintings sold at the Clarke sale ruled high, and showed a great advance in value over the amounts originally paid by Mr. Clarke. Probably nothing appeals so much to the practical American mind as "a good thing" financially. Consequently, the Clarke sale impressed upon the public the double value of native art—its æsthetic and its commercial value. Moreover, the grand total of the sale startled many who had never heard of such a thing as American art; for the pictures footed up a small fortune—nearly a quarter of a million dollars.

In addition to this, there was the fact, to which I have already referred, that the subjects of the paintings bringing the highest prices were typically American. During his "great period" Inness lived and worked at Montclair, New Jersey. His "Gray Lowery Day" was painted at that place. Another of his canvases, which the New York Metropolitan Museum of Art bought for $8,100, was the "Delaware Valley." A landscape painter whose work attracted great attention at the sale was Homer Martin, who did much of his painting in the Adirondacks. During his lifetime Martin was glad to get $100, or even as little as $50, for his canvases. The prices realized by his paintings at the Clarke sale went into the thousands. Then there were Winslow Homer's "Eight Bells" and "The Life Line," painted on the New England coast. As I already have indicated, it is distasteful to me to speak of the money value of works of art. But, in connection with American paint-

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ings, such prices as I have quoted are rays of light in the gloom through which our brave native artists have been struggling. It is not exaggerating conditions to call the Clarke sale a sunburst for American art. It was clean, above-board, and conducted with the most scrupulous integrity; and it established something which had been lacking—a standard.

When Mr. Clarke decided to sell his collection, he was warned that he was inviting "slaughter." Everything about it seemed problematical to those who realized the discouragement under which our artists had been working. The collection did not consist of a handful of paintings which could be disposed of in an hour. Its sale would occupy four evenings. Could a collection of native art stand the strain? The result speaks for itself. At the end of the fourth evening, the auctioneer, who has had the widest possible experience in such matters, addressed the audience from the platform; stating that it was the greatest sale which he had ever conducted, and that it would be more far-reaching in its results than any other sale ever held in this country.

The Clarke collection consisted mainly of landscapes and genre pictures. Portraiture was but sparsely represented. Fortunately, however, American portrait painters had found the opportunity earlier in the winter to show how well they could hold their own in competition with foreign artists. This was the one great fact brought out at the Loan Exhibition of Portraits held at the National Academy of Design. At that exhibition nearly one entire gallery was filled with the work of foreign artists. It would be provincial to deny great technical skill to several of the foreign painters whose canvases were shown. But, when one examined these portraits, one found that most of their charm was superficial. There was much beautiful painting of jewels and fabrics. But does the highest art of a portrait painter consist in showing that the flounce on a woman's dress is real Valenciennes, or that her brooch is composed of diamonds of the first water? Is the spirit to be ignored? Is there nothing below the ripple which plays over a lake? Whoever looked at these portraits critically could hardly fail to realize that art had been prostituted to dollars.

Much of the American work was in strong contrast to these foreign productions. It was bold, vigorous, and, above all, true. It showed that American men and women are not all veneer. The artist had put his conscience into his work: he had caught the deeper meaning of the type which he had painted. One American artist, Mr. Sargent, had in this exhibition a portrait of a London picture-dealer holding a cigar between

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his fingers. This seemingly prosaic subject was so wonderfully painted that it repeated here the sensation it had created when it was exhibited at the Royal Academy. It was truth vigorously put upon canvas. The portrait exhibition may not have done as much for the American portrait painter as the Clarke sale did for the American landscape and figure artist, but it has had its effect. It certainly did not enhance the reputation of the foreign exhibitors: it did enhance that of the native portrait painters.

Several artists, Mr. J. Carroll Beckwith among them, claim that the present interest in American art is a reawakening rather than the first awakening of public appreciation. They argue that before the Civil War the older American artists had a loyal following. I have seen a statement of the receipts of the exhibitions of the National Academy of Design as far back as 1848. It is surprising to observe how large the attendance at the Academy exhibitions was in those days. I find that in 1848 the exhibition at the Academy of Design was open eighty-four days and that the receipts averaged a little more than $53. In 1861 the receipts averaged over $92 a day. I understand that at the present time the receipts are not much above this latter figure. Comparing the population of 1861 with that of to-day, it would seem as if the proportion of those interested in art was larger then than it is now.

I am also told that a number of our older artists were able during the period before the war to lay aside enough to carry them through the depression which followed. These older artists have certainly been able to maintain their dignity. However one may differ in respect to their ideals, they have remained true to them and have always striven to give us their best. They have formed a strong conservative element in American art life—a balance-wheel which has not been without its value even to the younger and protesting element. Most, if not all of them, are pillars of the National Academy of Design, an institution which has been an honor to New York and to the country. It is now maintaining more evenly than formerly the balance between conservatism and progress, and bids fair to have a great influence for good upon the future of art in America. It is a noteworthy example of development from a small beginning. Early in this century, in 1802, an artists' society, of which the National Academy of Design is an offshoot, nearly bankrupted itself by the purchase abroad of a collection of casts. When, in 1825, the National Academy of Design was founded upon the ruins of this old Academy of Art, these casts passed into its possession.

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To-day, nearly a hundred years after their purchase, they are still used in the art classes of the National Academy of Design. This institution has sold its building, long a landmark in this city, and is proposing to erect a finer structure, with a full equipment for exhibitions, lectures, and classes. It should receive every encouragement; for it has deserved well of artists and of the public.

It was the prosperity that set in after the Civil War, coupled with the ignorance of many of those who acquired wealth at that time, which tempted the importation of foreign paintings. The name attached to the canvas meant more to the ignorant buyer than the canvas itself. Occasionally, a customer would ask the dealer if he had any American paintings. The dealer would say "Oh yes," and bring out the typical winter scene showing a church with an illuminated steeple and stained-glass windows reflecting colored light on the snow. Then his customer would say, "Guess not," and continue to look at foreign "pot-boilers."

After a while, establishments for the manufacture of foreign masterpieces started up,—some are still going,—and "Corots," "Daubignys," "Rousseaus," "Gérômes," and "Meissoniers" were supplied at wholesale rates, say $10 a yard. This reminds me of an advertisement I once read: "Your last chance to buy one of our genuine old $5 Stradivarius violins. Only a few left." I cannot imagine a man, however ignorant, being impervious to the immorality that skulks behind falsehood in art. Everything in his house is above suspicion—his wife, his children, he himself. The one false note is that "Corot" on his parlor wall. I have observed with amusement that since the Clarke sale the fraudulent picture-factories have begun to turn out "Innesses."

Pictures of sheep huddled together in a snow-storm have probably started more art collections in this country than any other class of canvas. It is said of a well-known collector, now dead, that he was induced by a canvas of this kind to enter an art store. He was very plainly dressed; and the clerk who showed him around was barely polite to him. He kept asking the price of one canvas after another. When he had made the round of the store, he told the clerk that he would like to see the proprietor. The latter was informed by his clerk that "there's a countryman out there who's been looking at some pictures and wants to see you." When the proprietor came out, the "countryman" remarked: "The prices of these pictures that I have been looking at foot up $149,000. I'll give you $100,000 down for them." Needless to say the sale was made on the spot.

Some time afterward, Thomas B. Clarke was invited by the pur-

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chaser to view his collection. After Mr. Clarke had looked at the pictures he asked:

"Haven't you any American paintings?"

"American!" exclaimed the collector, "are there any?"

Mr. Clarke took this collector to the Academy exhibition, which was then open; and he became a liberal patron of American art. It was one of Mr. Clarke's great pleasures, in making his collection, that he induced others to patronize American art. But a few collectors are not enough to stimulate interest in national art. The movement must be more widespread. Occasionally, during the depression in native art circles caused by the importations, efforts were made to create renewed interest. Such an effort was the formation of the Society of American Artists, which still exists and does good work. It created enthusiasm among a small and cultured class of people—most of them too poor, however, to buy what they admired. The society has continued on its way, in spite of many discouraging circumstances; and its exhibitions are among the most important of the year.

It is hoped that at last American art is coming into its own—that the public recognizes the value of the distinctly native note in native art. Let us hope that collectors will no longer consider it necessary to fill their galleries with lavender Cazins, and that millionaires will not deem it indispensable that their features should be perpetuated by foreign hands. By native art however, I do not mean the old panoramic "Hudson River School" with its photographic attention to detail, nor pictures of cows standing beneath convenient oak-trees near accommodating looking-glass pools. That is not typical American art. It is simply bad art.

Nothing better illustrates the far-reaching effect of the Clarke sale than the steps that are being taken by various art institutions to develop the representation of native art in their galleries. The Chicago Art Institute is preparing a special gallery for American paintings; and the Trustees of the Metropolitan Museum of Art in New York are discussing similar plans. Institutions in nearly all the other large cities in the country are showing similar interest in native art. There is every indication that a wave of development in American art is now sweeping over the country, and that the day when the American painter was "only an artist" has passed.

GUSTAV KOBBÉ.

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THE COLONIES OF THE WORLD AND HOW THEY ARE GOVERNED.

ONE-THIRD of the earth's population lives under forms of government supplied by another third whose seat of administration is outside of, and in many cases far distant from, the territory thus governed. The total population of the colonies, protectorates, and dependencies of the world is, in round numbers, 531,000,000; while that of the governing countries is about 851,000,000.

Nearly one-half of the 52,000,000 square miles of land area of the globe is included in the territory designated by geographers and statisticians under the various terms of "colonies," "protectorates," "dependencies," "spheres of influence," "spheres of interest," and "suzerainties." Three per cent of the area of Europe and South America, 27 per cent of that of Asia, 43 per cent of that of North America, 80 per cent of that of Africa, and 90 per cent of that of Oceania are included under some one of these terms; while, of the population, about 1 per cent of that of Europe and South America, 10 per cent of that of North America, 35 per cent of that of Asia, 80 per cent of that of Africa, and 90 per cent of that of Oceania may be so included. Of the areas and peoples thus governed, more than three-fourths are located within what is known as the Torrid Zone; and all of the governing countries lie within the North Temperate Zone. No considerable population of the Torrid Zone, except on the continent of America, maintains an independent form of government. Fourteen Governments of the North Temperate Zone exercise control of this character over the people located in the 127 colonies, protectorates, dependencies, and spheres of influence and interest, many of which are not only non-contiguous to their territory, but located far distant,—sometimes, indeed, at the very antipodes.

In a vast majority of cases this control has resulted in the establishment of well-defined forms of government which, as they develop, bring to the people the necessities and comforts of civilized life, education, and intelligence, and with them, more and more of the power of self-government, as well as greater independence of the governing country, although in some cases the power thus exercised is limited.

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In the most advanced of the world's colonies, especially those of Great Britain, the people make their own laws, manage the affairs of their own communities, construct their own railways and lines of communication, control their own commerce and finance, and in all particulars are practically masters of their own fortunes. In the British colonies of North America, Australia, and South Africa, where Responsible Governments have been granted to the people, laws are enacted and enforced, revenues are raised and expended, education is directed and administered, and every detail of governmental affairs is conducted by the will of the people expressed through their representatives elected at the polls by a suffrage whose limit, if any, is that of intelligence and a small property qualification. In the less advanced and smaller colonies possessed of Representative Institutions, such as those of the West India islands, and others, many of the details of government are also in the hands of persons chosen by suffrage, which, as the years pass and intelligence develops, is extended more and more to the natives as well as to the members of the governing race. Even within that vast heterogeneous mass of population known as British India, comprising many races, and speaking languages numbered by the score, the power of creating local regulations lies, in many cases, in the hands of the people themselves; and native judges and officials coöperate with those of the governing nationality in the administration of law and order.

In the colonies of other nations local matters are, to a considerable extent, in the hands of the natives, and a voice in the direction of local affairs is given them through the admission to the home legislative body of representatives from the colony; the French Assembly having among its membership representatives of its leading colonies chosen by the people,—these, in some cases, being members of the native population.

Of the 14 nations controlling the 127 colonies, protectorates, and dependencies of the world, Great Britain leads, both in regard to number and area, as well as population; the total number of her possessions of this character being 52, their area 11,187,000 square miles, and their population 356,781,000. France comes next with 23, having an area of 3,304,000 square miles and a total population of 50,372,000. Germany's colonies and spheres of influence number but 8, with an area of 1,025,000 square miles and a population exceeding 11,000,000. The colonies of the Netherlands, though numbering but 7, with an area of 630,000 square miles, have a population of 31,717,000, being the most densely populated of any of the colonies of the world. Portugal's 6 colonies and

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protectorates have an area of 800,000 square miles and a population of nearly 8,000,000. Spain, whose colonial area was once the greatest of modern nations, has now but 4 colonies, with an area of 248,000 square miles and a population of 540,000. Italy's 2 colonies have an area of 188,500 square miles and a population of 850,000. Denmark's colonies, 6 in number, have an area of 87,000 square miles and a population of 129,000.

Austria-Hungary, Russia, Turkey, and China exercise protectorate or suzerain power over adjacent territory. The two communities thus controlled by Austria-Hungary have an area of 19,000 square miles and a population of 1,568,000. Russia, exclusive of Finland, has 2, with an area of 114,000 square miles and a population of 3,200,000; Turkey, 5 distinct communities, with an area of 855,000 square miles and a population of 12,393,000; Belgium, 1, with an area of 869,000 square miles and a population of 30,000,000; and China, 5 districts contiguous to her territory, having an area of 2,923,000 square miles and a population of 14,500,000. The area of the four divisions which the events of the past year have brought into closer relationship with the United States—Cuba, Puerto Rico, Hawaii, and the Philippines—is 167,000 square miles and their population, according to the best authorities, 10,217,000.

The colonies of the western hemisphere naturally claim first attention. European Governments control 22 communities in America which may properly be so classed. Their area is 4,030,000 square miles and their population 7,828,000. Twelve of these are under the control of the British Government: viz., Bahamas, Barbados, Bermudas, Canada, British Guiana, British Honduras, Jamaica, Leeward Islands, Newfoundland, Trinidad, Windward Islands, and the Falkland Islands. Four, Martinique, St. Pierre, Guadeloupe, and French Guiana, are controlled by the French Government; 4, Greenland, St. John, St. Thomas, and St. Croix, by the Danish Government; and 2, Curaçoa and Dutch Guiana, by the Netherlands. The large proportion, both as to area and population, belong to Great Britain. The total area of the British colonies in America is 3,902,071 square miles; and the population is 7,268,160. The area of the French colonies in America is 48,073 square miles, and their population 399,444; the area of the Dutch colonies, 46,494 square miles, and their population 115,353; and the area of the Danish colonies, including Greenland, 34,118 square miles, with a population of 45,633.

The colonies in Europe number but 8; and most of these come under the head of "protectorates," "suzerainties," or "tributary territory,"

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rather than under the popular term "colonies." England's only colonies in Europe are Gibraltar and Malta; her other Mediterranean possession, Cyprus, being classed with those of Asia. The Danish Government has 2 European colonies, Iceland and the Faeroe Islands, though Iceland is governed by the King through a member of his cabinet, local government being administered by a legislature chosen by the people. The other European area classified under the general terms of "colonies," "protectorates," etc., includes Bosnia and Herzegovina, which are protectorates of Austria-Hungary, and Bulgaria and Roumelia, which are classed as Turkish tributary territory. The total area of European territory classified as colonies, protectorates, etc., is only 112,550 square miles, with a population of 5,163,000.

Asiatic colonies number 25: but their population exceeds that of any other of the grand divisions; while in area they are exceeded only by those of Africa. Of this number, 10 are under the control of the British Government; viz., Aden, on the southern coast of Arabia, commanding the entrance to the Red Sea, Bahrein Islands, Baluchistan, Ceylon, Cyprus, Hong Kong, British India, Malay federated native states, Sikkim, and the Straits Settlements. The French possessions in Asia include Annam, Cochin China, Cambodia, French India, and Tonquin. Portugal has a small territory in India and the island of Macao off the coast of China. Russia includes Bokhara and Khiva under the title of dependencies. Turkey extends her control over Samos; and China includes within her jurisdiction, as dependencies, Manchuria, Mongolia, Tibet, Jungaria, and East Turkestan, with the enormous area of 2,923,800 square miles and a population of 14,500,000. In the above the native feudatory states of India are not included, though British authorities generally agree that, indirectly at least, they are controlled by the British Government through native princes, ministers, or councils, with the help and under the advice of political officers of the British Government. The area of these Indian feudatory states is 731,944 square miles; and their population is 66,060,479. These, if included, would bring the area in Asia controlled by Great Britain up to 1,889,057 square miles; while the population of the territory thus controlled would be 292,451,000, out of a grand total of 333,000,000 within the Asiatic territory classified as colonies, protectorates, dependencies, etc.

Africa has by far the largest number of colonies, protectorates, etc., nearly the entire area of the continent having been parcelled out in this manner during the past few years. The total number exceeds 50; 20 of these being classified as British, 17 as French, 5 as German, 4

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as Portuguese, 3 as Spanish, 2 as Turkish, 2 as Italian, and 1 as Belgian. Of this vast area, England claims more than 3,000,000 square miles, with a population of 55,000,000; including the island of Madagascar, France claims nearly 3,300,000 square miles and a population of more than 50,000,000; Germany, about 1,000,000 square miles, and a population exceeding 10,000,000; Portugal, 750,000 square miles, and a population of nearly 5,000,000; while Belgium's ward, the Congo Free State, has an area of 869,570 square miles and a population estimated at 30,000,000. All of these figures, however, must be looked upon as extremely uncertain; the area and population in many cases being simply estimates, and no accurate measurements of territory, or account of population, having been made in the vast sections over which claims have been extended. Boundary-lines, too, are subject to constant changes by agreements between European Powers, or between European Governments and native chiefs. This is illustrated in the fact that the figures quoted by the 1899 publications differ materially from those of 1898 in a number of important cases.

In Oceania the colonies number 24; the area, 4,220,000 square miles; and the population, 43,000,000. Of this number, Great Britain controls 10, with an area of 3,250,000 square miles and a population of 5,250,000; the Netherlands, 5; France, 3; and Spain, 2. More than one-half of the population of Oceania is under the control of the Netherlands; the people of Java and Madura alone numbering more than 25,000,000, though the area of those islands is but 50,560 square miles.

Nearly all of the colonies, protectorates, and dependencies of the world are, it will be seen from the above, controlled by European Governments, the number of communities thus governed being 115. While their area is 19,546,535 square miles, that of the mother-countries is but 10,778,320; and while the population of the colonies and dependencies of European countries is 476,192,000, that of the mother-countries is only 383,685,000. The only non-European countries exercising control of any kind over territory other than that within their immediate boundaries are: China, with her 5 dependencies of Manchuria, Mongolia, Tibet, Jungaria, and East Turkestan; and the United States, whose relationship to Cuba, Puerto Rico, Hawaii, and the Philippine Islands, is still in a formative state.

It will be seen from Table No. 1, which follows, that England is by far the greatest colonizing Power as regards both area and population; the area of territory thus controlled by her being one-half that of the world's total colonial area, and the population more than two-thirds that of the

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grand total of people thus governed. That she is the most successful as well as the greatest of modern colonizers will probably be generally conceded. France is second in point of colonial area and population; Germany third, at least as to area; and the Netherlands fourth.

It may not be uninteresting to consider briefly the methods pursued by the principal colonizers of the world in the government of the peoples which they thus control. In general terms, it may be said that

Table No. 1.

COLONIES, DEPENDENCIES, AND PROTECTORATES OF THE WORLD, SHOWING AREA AND POPULATION OF THE COLONIAL POSSESSIONS, PROTECTORATES, ETC., OF EACH COUNTRY.

Countries.	No. of Colonies, etc.	Area (Square Miles).		Population.	
		Mother-country.	Colonies.	Mother-country.	Colonies.
Austria-Hungary	2	240,922	19,733	41,231,342	1,568,092
Belgium	1	11,373	869,570	6,495,886	30,000,000
China	5	1,336,841	2,923,800	386,000,000	14,500,000
Denmark	6	15,289	87,124	2,185,235	129,554
France	23	204,092	3,304,419	38,517,975	50,372,013
Germany	8	208,830	1,025,460	52,279,915	11,586,100
Italy	2	110,646	188,500	31,290,490	850,000
Netherlands	7	12,648	629,922	4,928,658	31,717,099
Portugal	6	36,038	799,770	5,049,729	7,908,654
Russia	2	8,516,139	114,320	126,683,312	3,200,000
Spain	4	197,670	248,588	17,565,632	540,700
Turkey	5	1,115,067	855,277	24,128,690	12,393,477
United Kingdom	52	120,979	11,187,572	39,824,563	356,781,197
United States	4	3,557,000	167,736	75,194,000	10,217,415
Total	127	15,683,534	22,421,791	851,375,427	531,764,301

Great Britain's policy is not only to give to the colony as large a share as practicable in the management of its affairs, but to perform all the details at the point where the laws are to be administered, that is, within the colony itself; while with other Governments the details are largely attended to at the seat of the home Government. In other words, Great Britain gives to practically all of her colonies more or less legislative power, according to the circumstances and conditions; while the other colonizing Governments generally depend upon the enactment by the home legislative body of the laws and regulations which are to govern the colonies. Under this latter method the more advanced of the colonies are permitted to send representatives to the seat of the home Government, where, in some cases, they are admitted as members of the national legislative body.

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Great Britain divides her colonies into three classes, which are thus described in the "Colonial Office List" for 1898:

"1. Crown Colonies, in which the Crown has the entire control of legislation, while the administration is carried on by public officers under the control of the Home Government.

2. Colonies possessing Representative Institutions but not Responsible Government, in which the Crown has no more than a veto on legislation, but the Home Government retains the control of public officers.

3. Colonies possessing Representative Institutions and Responsible Government, in which the Crown has only a veto on legislation, and the Home Government has no control over any public officer except the Governor."

Canada, Newfoundland, the colonies of Australia with New Zealand and Tasmania, and Cape Colony and Natal, in Africa, belong to the class possessing Representative Institutions and Responsible Governments. In Canada the Governor-General is appointed by the Crown, and nominates for life the members of the Senate; while members of the House of Commons are elected by ballot. The legislative body thus created enacts all laws, determines the method of raising revenues, and controls its expenditure. In Newfoundland the Government is organized upon a similar basis. In Queensland, Australia, the Governor is nominated by the Crown, and the members of the Legislative Council are nominated by the Governor for life; while the Legislative Assembly is elected by the people. In South Australia both legislative bodies are elected by ballot; the Legislative Council is composed of 24 members, one-third of whom retire every third year; while the Lower House, called the House of Assembly, is composed of members elected for three years from the 27 electoral districts, the elective franchise being in the hands of all persons above 21 years of age, irrespective of sex. In New South Wales the members of the Legislative Council are appointed by the Crown for life; while members of the Legislative Assembly are elected. In Tasmania, Victoria, and West Australia members of both bodies are elected. In Cape Colony, Africa, the members of the Legislative Council are elected for a term of seven years, and are presided over *ex officio* by the Chief Justice. Members of the House of Assembly are elected for five years.

In the colonies having Representative Institutions, but not Responsible Governments, a part of the lawmaking body is appointed and a part elected. In the Bermudas, for instance, there is a Legislative Council of 9 members appointed by the Crown, and a representative House of Assembly of 36 members elected by the people. In the Barbados, there is a Legislative Council of 9 members appointed by the Crown, and a

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House of Assembly of 24 members elected annually by the people. In the Bahamas the Legislative Council consists of 9 members nominated by the Crown, and the Representative Assembly of 29 members chosen by the suffrage of electors who are required to have a small property qualification. The Leeward Islands, which consist of a number of separate islands and communities, are divided into 5 presidencies; but their laws are enacted by one federal Executive Council nominated by the Crown, and one federal Legislative Council, of which one-half of the members are nominated by the Crown and the other half elected by the residents of the various islands, a certain number proportionate to its population being given to each island. A somewhat similar system is followed in the government of the Windward Islands.

Honduras, Trinidad, the Straits Settlements, Hong Kong, and Gibraltar are examples of the class known as Crown colonies. In these the members of the lawmaking bodies are nominated partly by the Crown, or by the colonial officers subject to the approval of the Crown, and partly by chambers of commerce, or judges, justices of the peace, or other law-administering officers of the colony.

The government of India is administered under the control and direction of a Secretary of State for India, whose duties are performed in England; the executive authority in India being vested in a Governor-General, usually termed a Viceroy, appointed by the Crown and acting under the orders of the Secretary of State for India. In the details of his duties the Secretary of State for India is assisted by a council of 10 members (whose work is performed in England), the major part of whom, however, must have served or resided 10 years in India and not have left that country more than 10 years previous to the date of their appointment. The Governor-General is assisted in his duties in India by another organization called "the Government in India," consisting of 5 ordinary members, the Commander-in-Chief, and a public works member whose post may be left vacant at the option of the Crown. They are also aided by 10 to 16 "Additional Members for Making Laws and Regulations"; thus forming a Legislative Council, all of whom however are appointed. The Crown or the Secretary of State appoints the Governors of Madras and Bombay, who have each a Legislative and Executive Council and a Civil Service of their own; while the Lieutenant-Governors of Bengal and the Northwest Provinces have each a Legislative Council only. The local governments, however, in the municipal towns are administered by bodies whose members are in most cases elected, the local Self-Government Acts of 1882–84 having extended the elective

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principle more or less all over India. In all large towns, and in many of the smaller ones, the majority of the members of the committees are elected by the ratepayers. The majority of town committees usually consists of natives; and in many cases all the members are natives.

The method of government of the French colonies is best illustrated by an examination of the details of the operations of a few. In Algeria the Governor-General, who is in constant communication with the different French ministries, is the central administrative authority, except for finance, Customs, justice, and instruction, which are under competent ministers. The French Chambers legislate for Algeria; while such matters as do not come within the legislative power are regulated by decree of the President of the French Republic. The Governor-General of Algeria has a Council whose function, however, is purely consultative. A Superior Council meets once a year to discuss and vote the colonial budget; and each of the three departments sends one senator and two deputies to the French National Assembly. In Madagascar the government is administered by a Governor-General, with an appointed Administrative Council and the coöperation of a military force, though a code of laws has been established and courts have been constituted at a number of places. Réunion is represented in the French Assembly by a senator and two deputies. Guadeloupe is under the government of an elected Council and is represented in the Assembly by a senator and two deputies. Martinique has a Governor and municipal Councils, with an elected General Council, and is represented in the Assembly by a senator and two deputies.

The Netherlands colonies in the East Indies are under a Resident Governor, who is assisted by numerous Deputy Residents who exercise their control in conjunction with and by the aid of large numbers of native functionaries.

In the less advanced colonies of all countries the government is administered by officers, in some cases military, and in others civil, appointed for that purpose by the home Government. This is necessarily the case in the large areas known as protectorates, spheres of influence, or spheres of interest, though in some of these the government is administered by commercial companies chartered by the home Government, which have been given certain authority and general supervision over the people, in conjunction with their occupancy of the trading centres. This system of control and development of territory, which was much utilized a century ago, is now seldom applied except in extremely new and inaccessible areas.

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Several important questions naturally suggest themselves in conjunction with the study of modern colonial methods and conditions. The colony of to-day, it may be said, differs very widely from that of two centuries or even a half- or a quarter-century ago. Then, love of adventure, of exploration, and of immediate gain from conquest or the seizure of precious metals was largely the motive. Then, the explorers and those who afterward became colonizers were far distant from and out of communication with the mother-country, and therefore were dependent largely upon their own judgment and left largely to their own will in their relations with the natives of the country. In many such cases their course was dictated solely by selfish motives, and too frequently with a view rather to immediate gain than to the greater and more permanent prosperity incident to the improvement of the country itself and of the condition of its inhabitants. The exceptions to this rule were in those communities where religious freedom and love of liberty were the actuating motives of those planning, conducting, and carrying into success the colonization and occupancy of the country. That the colonies planted under the last-mentioned circumstances have been the most successful is too apparent to need discussion.

The colony of to-day differs from that of a century or two ago as much as the "young American" of to-day differs from the youth of earlier generations. With the extension of modern methods of communication, fast steamship lines, telegraphs, submarine cables, and swift warships, twentieth-century colonies will differ widely from those of former centuries. When the representatives of a modern Government enter a community which has been practically devoid of the above-mentioned evidences of progress, the growth of their influence, usefulness, and enlightening and enriching powers upon those with whom they come in contact is very much more rapid than was the case with colonies of earlier generations.

In the British colonies to-day more than $2,000,000,000 of capital owned by citizens of the mother-country is invested, loaned at low rates of interest, and utilized in the construction of highways, canals, railways, telegraphs, schools, churches, colleges, and all of the appliances which tend to additional development physical, mental, and moral. The colonies and their municipalities have the advantage of being able to borrow capital in the mother-country for development of their business enterprises; the securities of the British colonies being constantly quoted in the London markets, and most of them at more than par value. By these developments productiveness is multiplied, and the industry of the native is stimulated, his association with the outside world increased,

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and his capacity broadened. Within the British colonies alone there are in operation to-day more than 54,000 miles of railway. Depositors in savings-banks number more than 2,000,000; their deposits amounting to more than $300,000,000, and hundreds of thousands of the natives of the countries thus colonized being numbered among the depositors. Of schools the British colonies possess about 200,000, with an attendance of nearly 7,000,000 pupils; while their post-offices and mail systems handle more than 1,000,000,000 pieces of mail matter annually. Even in India, with her great diversity of religious beliefs and languages, more than 20 per cent of the male youth of school-going age attend school, though up to the present time less than 3 per cent of the girls attend.

Coming down to the more practical side of the question, it may be asked, Is colonizing advantageous either to the nation which undertakes it or to those affected by its operations?

The question, so far as relates to the improvement of the general condition of the people of well-managed colonies, seems to be answered in the facts already cited. Looking at it from the commercial standpoint purely, there seems no reason to doubt that the communities whose natural products are stimulated, developed, and brought into prompt communication with the markets of the world, are materially benefited. The British colonies of North America exported in 1871 merchandise to the value of £17,034,000: in 1896 their exports amounted to £26,230,000. The South African colonies exported in 1871 merchandise to the value of £4,148,000: and in 1896 their exports amounted to £18,349,000. The Australian colonies exported in 1871 merchandise valued at £34,581,000: in 1896, their exports amounted to £66,584,000. Taking the entire list of the British colonies, it is found that their exports have more than trebled in the last forty years. In 1857 their total exports amounted to £74,200,000; by 1867 they had increased to more than £113,157,000; in 1877 they were £156,955,000; in 1887, £204,500,000; and in 1897, £266,463,000.

As to the commercial advantages, if any, accruing to the colonizing country, it may be desirable to continue the study of the question from the same standpoint, that of the United Kingdom, measured by her own trade relations with her colonies and the world generally. The non-British world buys 15 per cent of its total foreign merchandise from the United Kingdom; while the British colonial world buys more than 42 per cent of its foreign merchandise from the mother-country. The total imports of the British colonies amount to £215,000,000 annually.

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Great Britain, by supplying 42 per cent of this instead of 15 per cent (which she averages in the commerce of other countries), makes an additional market for £58,000,000 annually of her products. Her total exports to foreign countries (omitting the colonies) are £206,000,000, or 15 per cent of their total imports; and, if to this were added a like percentage of the imports of the colonies, her total sales would be £238,000,000 instead of the grand total of £296,000,000 which she enjoyed in 1896, the year to which these figures relate. It is thus apparent that her sales are enlarged through her colonial system to the extent of about £58,000,000; thus increasing by 25 per cent her total exports, and creating by her colonial system a market for nearly $300,000,000 worth of her products and manufactures.

Revenues in the colonies are raised by methods similar to those utilized in other parts of the world. Of the total revenue of the British colonies, about one-third is produced by Customs taxes. The question as to whether tariffs shall be so arranged as to prove protective is left entirely to the legislative bodies; and as a result the tariffs themselves are of great variety, conforming to the view of the party happening to be in power at the time of their enactment. In some of the Australian colonies tariffs are vigorously protective: in others they are not.

One feature is especially noteworthy in regard to the Customs regulations of the various colonies of the world; viz., as a rule they no longer discriminate in favor of the mother-country. Long experience has shown that the colonies which made lower rates of duties on articles coming from the mother-country than those imposed upon goods from other countries have not been successful in disseminating prosperity among their people. A marked example of this may be found in the tariffs of the Spanish colonies, which made the rate of duty on articles from other parts of the world very much higher than those coming from Spain; and this condition now prevails, to a certain extent, in a portion of the colonies of France. In the British colonies there are few, if any, examples of this sort, except in the recent action of the Canadian Parliament, which has made the rates of duty on articles from the United Kingdom and several of its dependencies 25 per cent lower than those on similar articles from other parts of the world, though this is based upon an assumed requirement that the tariffs of the countries with which Canada trades must be as low as her own. Up to this time this has not had any marked effect upon the relative importations from the mother-country and others offering goods to the Canadian market; the imports

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from the United States into Canada having increased quite as rapidly as those of the United Kingdom and even more rapidly than under the former law.

Another point with reference to revenues worth mentioning is that Great Britain, which may be again referred to as the most successful modern manager of colonial business affairs, expects her colonies to be self-sustaining; requiring them, except in the case of the newly established protectorates over unorganized territory, to levy sufficient taxes to meet current expenses. It has been pointed out in recent public discussions that the receipts of many of the colonies fall somewhat below the expenditures, and that the debts of the colonies are large—indeed, very large. In explanation of this fact it must be said that, while the debts of the British colonies are large, they have been contracted with the assent of the home Government for the purpose of obtaining money with which to construct highways, irrigating and freight-carrying canals, railroads, telegraphs, and other improvements of this kind; most of the railways and telegraphs, and even in some cases the tramways and street railways, in British colonies, being owned by the colonial Government. Thus, while the debts of the British colonies aggregate a large sum, the colonies are themselves solely responsible for their payment; while the debts are in most cases represented by equivalents in actual property much of which has, in the case of railways and telegraphs, greatly increased in value, and is now worth far more than the debt which it represents. Meantime the population has benefited by the extremely small commercial rates which have been made by the railway and telegraph lines, the prices of freights and of transportation upon the railroads belonging to the colonies being very low. In some cases, the children attending public schools are carried upon the railways absolutely free of charge.

Having thus briefly sketched colonial conditions, we may consider for a moment the practical question of the relations which the events of the past year have created between the people of the United States and those of Cuba, Puerto Rico, Hawaii, and the Philippines. As to the effect of nearer relations in the development of commerce, industries, thrift, and intelligence, it seems not improper to assume that the suggestions already made upon this subject would apply in the new relations of the people of the United States with those of the islands in question, and that their producing-powers—and therefore their physical and higher development—will be advanced by their contact with what I may be pardoned for terming our more advanced methods.

Regarding the prospective advantages, or otherwise, of colonial pos-

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sessions to the people of the United States, the following questions naturally suggest themselves:

1. Will our sales to the islands in question be increased?

2. Will our sales to other countries, through the doorways which these islands may become, be augmented?

3. Will our foreign purchases be diminished, and shall we be enabled to expend among our own people any considerable share of the money which we have hitherto expended abroad?

Regarding the first question, there can be no reasonable doubt that an increase in our sales to the islands would result. The British colonies take on an average, as already indicated, 42 per cent of their imports from the mother-country, and this in spite of the fact that many of them lie at great distances from England, and are more conveniently located for commerce with other countries. The other countries of the world, aside from the colonies, take, as I have said, but 15 per cent of their total importations from Great Britain. It would thus appear that if British colonies scattered all over the world, many of them very far remote from the home Government, make 42 per cent of their purchases from the mother-country, certainly in the case of Cuba, Puerto Rico, and Hawaii, which lie nearer to us than to any other country, we may expect a larger proportion than that of their commerce; while we ought also to have at least a fair share of that of the Philippines. As shown in Table

Table No. 2.

IMPORTS INTO CUBA, PUERTO RICO, HAWAII, AND PHILIPPINE ISLANDS.

Islands.	Year.	Total Imports.	Imports from United States.	Per Cent. from U. S.
Cuba	1895	$54,500,000	$12,807,661	23.47
Puerto Rico	1895	18,317,000	1,883,544	10.30
Hawaii	1897	7,683,000	4,690,675	61.00
Philippines	1897	28,815,000	162,446	.60
Total	....	$109,315,000	$19,544,326	17.88

No. 2, the total imports of Cuba, Puerto Rico, Hawaii, and the Philippines in normal years amount to about $109,000,000, of which only about 18 per cent is from the United States; while under the new relations the great bulk of this market should and naturally would accrue to our own people.

The second question, regarding the prospective increase of our ex-

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ports to other countries through the doorway which these islands may afford, is a much larger and much more important one. The annual imports (which are shown in Table No. 3) of the countries commercially adjacent to Manila as a point of distribution amount to about $1,066,000,000 per annum, a sum which nearly equals our own magnificent achievement in the total exportations during the year just ended. Of the $1,066,000,000 worth of goods which the countries within easy reach of Manila as a point of distribution now annually import, we supply but 5.3 per cent. Yet the large proportion of these vast imports is made up of the class of goods which we can supply, and which we desire to sell—cotton and cotton goods, manufactures of iron and steel, railway materials and supplies, machinery, agricultural implements, bread-stuffs, provisions, mineral oils. In fact, nearly all of the articles which we produce, or desire to sell, find ready sale in this enormous market, whose importations are made up very largely of this very class of material. The chief distributing-centres of China, Japan, Korea, Siam, Annam, and the East Indian Islands are as near to Manila as Havana is to New York; while the distributing-centres of British India and Australasia are nearer to Manila than to any other great entrepot. If our producers and manufacturers can ship their goods from the point of production through a Nicaragua Canal, without breaking bulk, to this great commercial field, why should they not obtain a fair share of that commerce instead of the insignificant 5.3 per cent which they now have? The advantages to the trade of Great Britain in the East, which were gained through her port of Hong Kong, and the evident belief of other nations that similar opportunities in that part of the world would likewise be to their commercial advantage, would seem to justify us in the belief that a central point of distribution lying, as Manila does, adjacent to an area containing 852,000,000 people and annually importing $1,066,000,000 worth of goods, should be of great value to our producers desiring to cultivate that market.

The third question is, Will the new relations with these islands enable us to reduce the amount of money which we have been accustomed and required to expend abroad? Our expenditure for the class of articles produced in tropical climates amounted in 1896 to $251,320,393, made up as follows: Coffee, $84,793,124; sugar, $89,219,773; fruits and nuts, $16,957,307; tobacco, $18,703,942; hemp, jute, etc., $11,846,247; miscellaneous articles (estimated), $30,000,000; total, $251,320,393.

All of these articles are produced in considerable quantities in the

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Table No. 3.

POPULATION, AREA, AND COMMERCE OF ASIA AND OCEANIA, AND THE SHARE OF THE UNITED STATES IN THE COMMERCE.

Countries.	Population.		Area.	Commerce.						
					Imports Into.			Exports From.		
	Year.	Number.	Square Miles.	Year.	Total.	From United States.	Per cent of United States.	Total.	To United States.	Per cent of United States.
Ceylon	1897	3,008,466	25,365	1896	$20,722,243	$59,546	0.29	$14,640,700	$841,077	5.74
China	.....	402,680,000	4,218,401	1896	170,991,384	9,639,440	5.64	105,914,256	8,988,192	8.49
British India and East Indies	1897	287,223,431	1,800,258	1897	179,786,742	3,667,376	2.04	259,785,742	12,046,245	4.64
Dutch East Indies	1895	34,090,000	736,400	1895	66,458,540	1,147,315	1.73	80,080,812	7,727,282	9.63
French East Indies	1896	21,821,910	272,147	1895	790,888	69,136	8.74	3,088,181	.....	.....
Hong Kong	1897	261,258	30	1897	No data.	6,060,039	.....	No data.	923,842	.....
Japan	1895	42,270,620	147,665	1897	111,262,694	13,812,605	12.42	83,362,024	26,795,002	32.16
Korea	1897	10,528,937	82,000	1895	8,088,123	.....	.....	2,481,808	100	.....
Persia	1897	9,000,000	628,000	1894	25,476,000	.....	.....	15,054,000	.....	.....
Russia, Asiatic	1897	23,051,973	6,564,778	1894	21,578,829	163,855	.76	29,456,479	355,476	1.21
Siam	.....	5,000,000	200,000	1895	19,384,000	.....	.....	25,280,000	.....	.....
Straits Settlements	1897	558,935	1,472	1896	112,248,947	.....	.....	97,821,926	.....	.....
Philippine Islands	1887	7,670,000	114,326	1896	28,815,075	162,446	.55	33,481,484	4,982,857	14.90
British Australasia	1897	4,793,900	3,173,558	1896	277,879,067	16,199,328	5.83	278,708,484	13,074,611	4.69
Mauritius	1896	374,942	705	1896	15,910,560	303,879	1.91	15,651,905	883,411	5.65
Hawaiian Islands	1896	109,020	6,640	1896	7,164,561	5,464,208	76.27	15,436,037	15,408,197	99.79
Total	.....	852,443,391	17,971,745	.....	$1,066,557,653	$56,749,167	5.32	$1,060,243,838	$92,026,292	8.65

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islands in question; and, in practically every case, their production could be so greatly increased that the entire demand of the United States, increasing constantly as it does, could be met by them. If these islands should come into such relations with the United States that our citizens should become, either individually or through their invested capital, the producers of these articles within their borders, this large sum, which is now annually paid to the people of other nations, would be distributed to our own people, either as residents of those islands or through their capital there invested; and, to that extent, the money annually expended for these necessary articles of consumption would be retained among our own people.

It seems not unreasonable to assume, therefore, that the people of the islands in question will be benefited by the establishment of a stable government and the consequent development of their industries and resources; while it seems equally apparent that the people of the United States will also be gainers by the enlarged market for their products and the opportunity offered of distributing among their own people the large sums they have heretofore been compelled to expend abroad.

O. P. AUSTIN.

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DIRECTED SPORT AS A FACTOR IN EDUCATION.

If it be true that culture is more to be desired than learning, that the sound mind depends upon the sound body, and that the great object of education is the formation of character, the case for directed sport is already proved. No teacher who meets his pupils in his official capacity in the class-room only will pretend that he can ever really know or influence the actual character of those committed to his charge. He may inculcate a love of learning, or a taste for things beautiful, in the minds of the few; but his influence is limited to precept, which proverbially and actually is less potent than example.

A doctor will demonstrate the evil effects of some particular food or drink in arresting development or in undermining health; but his soundest statistics and most correct demonstrations are constantly nullified by the concrete presentment of some veteran consumer, robust and of mighty inches. In like manner, the best advice of the schoolmaster is cancelled by the idle talk of the first ignorant companion who joins the schoolboy in his frolic, or lends him his newly painted bicycle.

Moreover, to every precept delivered *ex cathedra* there attaches the suspicion of insincerity,—the feeling that the man himself may be just as different from the schoolmaster as the boy who answers so meekly in the class is from the urchin who shouts and squabbles at baseball. The average boy, even when the first feelings of fear and enmity are laid by gentleness and kindness, will still look upon the schoolmaster at his desk as did the rustics in "The Deserted Village"; and only in the rush of football or in the thrill of baseball, where boy and man are alike the happy, hearty, combative animals they were created, will artificiality go by the board, and the distinctions of office be forgotten.

This does not necessarily imply that every schoolmaster must be a good athlete; but it does mean that every teacher who would really lead his boys, and form their natures, must have that youthful spirit which led Dr. Arnold to say that he would abandon his profession when he could no longer go upstairs two steps at a time, and which will enable the master, as a boy among boys, to show a real interest in what is to them of supreme importance, and to win their confidence and affection.

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If this were the only result of directed sport, it would be ample to justify every teacher in spending much of his leisure on the athletic field; but other opportunities occur which can only be properly estimated by those who have tried the experiment.

To leave boys to work out their own salvation during play hours is to undo much of the good work accomplished during school hours. On the other hand, to make the play hours as dully disciplined as school hours is to kill all brightness and individuality. In American public schools the former method prevails; and only the strong sense of a robust community averts calamity. In Germany the latter plan is practised; and defective eye-sight and unequally trained physique are the result.

From a health point of view there can be no comparison between a good healthy game—in which every muscle is suitably exercised, and brain and lungs join in the complete happiness of the honest laugh and the careless shout—and the "dead-alive" military drill, or formal gymnastics, which, while developing many muscles abnormally, leave the brain torpid and the spirit depressed.

But the game must be regulated, if its full benefits are to be reaped. Unselfishness must be practised at every turn; the strong must help the weak; and the weak must be aroused, that they may not be a drag upon the strong. The team that represents a school must be chosen purely on the merits of its members, those selected being as jealous of their honorable distinction as the rejected are glad to stand aside for the honor of their common cause. The less attractive and more tedious positions in the field must be conscientiously filled without a murmur; the pride of success, felt without conceit. As the credit of the school demands the best effort of every individual, there must be patient practice and steady perseverance. If wrangling and ill-feeling are to be averted, and unquestioning obedience to lawfully chosen authority is to become part of a boy's nature, respect must be shown to the referee, even when his decisions seem palpably unfair. Acting thus, command will be gained of the temper; and the exaggeration of trifles will appear in its true garb of foolishness.

Abstemious living and healthy habits come as the natural results of an overwhelming interest and of a whole-souled desire to excel. The code of honor among true sportsmen is so rigid that truth and fair-dealing become as important as a well-balanced bat or sound ball. Manliness, energy, courage, endurance, all follow,—not because they are *said* to be good, but because they are *seen* to be good, and *felt* to be

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absolutely essential to the attainment of an object that is all in all to the boy.

Finally, patriotism of the best kind grows as naturally as the other virtues. He who will gladly make any sacrifice for the good of his school, who will efface himself for the benefit of his side, and will bestow every energy he possesses for the honor of his cause and the glory of his ideal, will instinctively extend his feelings from the area of the playground to the wider limits of State or country; and, in the unselfish love thus begotten, reciprocity arises, and the country better appreciates its heroes, and casts around them the bonds of *noblesse oblige*, which, perhaps, bind more strongly than any other earthly sentiment.

All these things are possible where the playing-field is at once a garden of delight and an unwalled schoolroom; but they are possible only where the teacher not only seeks to allure, but himself leads the way. He, the pedagogue, the embodiment of wisdom, the dispenser of justice, the fountain of knowledge, must himself be there,—his academic trappings dropped, a boy among boys, and the living example of all that he would teach. The first to laugh, the first to shout, the first to defer to the referee, the first to give up to others, the first to sacrifice his time, his pleasure, and his inclinations for the glory of his side and for the honor of his school.

So only will the teacher know his boys, understand their characters, help each where he is weakest, and educate all in that which alone is worth striving for. True, from a man he must become a boy, and from an autocrat, if need be, the servant of all; but, in the real influence that he will exert, and in the loyal love that will place him higher in his pupils' estimation than any platform, he will realize something of what was taught when it was said, that in the Kingdom of Heaven the last shall be first and the first last.

Let me draw a picture such as may be seen any day in the best English schools, where sport forms an integral part of the curriculum.

It is a summer evening; "tea" is over; and every boy, from the biggest to the smallest, is donning his "flannels." If we glance at the notice-board, we shall see that the First Eleven and a few "probables" are to practise at the nets with a professional, who is paid to teach cricket, just as a master is paid to teach Latin. The Second Eleven is to do the same at the lower nets. The order of batting is arranged; and the names of the bowlers are given. In the Junior Field there is to be a match between two sides carefully chosen. Captain, umpires, and scorers have been selected; and the exact position which each player

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is to occupy in the field has been determined. In the centre of the board a more elaborate notice gives the eleven selected to represent the school in the next match with outsiders; the names of those who have already gained their "colors" are distinguished; all information as to ground, time, position, and order is stated; and the notice closes with the stirring words, "Play up, School!" or "Floreat Schola!" or, perhaps, the school motto.

If we pass to the fields, we shall find a stretch of turf green and smooth and level as a billiard-table. The centre, carefully guarded for the next great game, is being rolled or watered or marked or mown. At the side are the nets, where the professionals and masters are having a little preliminary practice to "get their eye in." Soon the field is flooded with boys, all suitably arrayed in white flannel with pretty sashes and ties and "blazers" of the school colors; while some proudly wear the school arms to denote that their names are permanently inscribed on the school walls,—a record to be surveyed with pride in after-life and to inspire the sons who will assuredly follow in their fathers' footsteps. Every one is laughing, shouting, running, throwing, or catching. But in five minutes all have found their allotted places. The batsman, in pads and gloves, goes to the wicket; the bowler prepares to bowl; the fielders scatter to their places, shifting and changing as the bowler, with a wave of his hand, may direct. The timekeeper looks at his watch; for each batsman is to have just a quarter of an hour at the wicket. The professional corrects the batsman's defence,—tells him, perhaps, that he is weak on the "off" side, and proceeds to bowl him balls that will teach him to overcome the defect. Meanwhile, captain and masters help to coach the wicket-keeper, bowler, and fieldsmen, all referring to the professional when there is any doubt. Down goes the wicket. The batsman looks up. "What did I do wrong then?" "You ought to have played forward," comes the response. "Give me another like that." Another ball is delivered. "That's better." "Well played!" comes from all sides, as the batsman gracefully plays the ball along the ground.

So the game goes on,—a study, a discipline, but an all-absorbing game despite that,—with the glorious prospect of distinction in the morrow's match for him who profits by the practice.

At the Second Eleven nets a similar scene presents itself, with the possible addition of a little more noise, and an occasional remonstrance from master, or captain, or monitor. Away in the Junior Field wild shouts and wilder applause denote that the "scratch" match is proving very exciting. But it must not be imagined that this is the ordinary

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untutored wrangling of selfish and unskilled urchins. The ground is as well cared for and as precisely marked, the umpire and scorer are just as dignified, firm, and reticent, as with the seniors. Each batsman, though he knows his stay at the stumps will probably be brief, dons pads and gloves and walks to the wicket as if the whole responsibility of victory or defeat rested on his shoulders. How carefully he takes "centre," and places his right foot in the exact position recommended by the great W. G. Grace! Though he be bowled first ball, he will show good style.

But who can repress a shout when the match proves exciting, when victory is hovering with uncertain wings, when even the Head Master has paused to see the game, and the servants have stolen from the kitchen to watch with breathless interest? For every one loves cricket, and understands it too. It is as much and as important a right to the Britisher as are the privileges of Magna Charta. Even the party of rustics, who seem to be growing out of the neighboring hedge, know as much about it as the professional, and are slowly muttering: "That youngster'll make a player," or "He'll never make no runs if he holds his bat that way."

For those who do not care for cricket, or who are not able to play, there are tennis courts, fives courts, an open-air gymnasium, row-boats, and a swimming pool, all to be used in proper order and with an object.

When the bell rings, the timekeeper pockets his watch, and notes the name of the last player, so that the due order of succession may be observed; the proper officials pack up the paraphernalia; the groundman waters and rolls and returfs the worn ground; and all hasten to take their shower-bath or plunge, or at least to exchange their damp flannels for dry clothes suitable to the few hours of preparation of work which remain before bedtime.

In winter, football takes the place of cricket, and fives, tennis, and gymnastics must be played under cover; but, whatever the game, there are the same discipline and the same training for brain and eye and muscle and character,—not separately, or the one at the expense of the other, but harmoniously and in conjunction.

Happy scenes, to be loved in the present, and remembered as long as life shall last! Zeal without ill-feeling, idleness without loafing, liberty without license, pleasure without regret, play with a meaning, sport with an object; upbuilding strong character and fine physique as silently and imperceptibly as the web of the spider, but as firmly and surely as the growing reef of coral.

FRANCIS H. TABOR.

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A CENTENNIAL STOCKTAKING: A RETROSPECT.

It has become the fashion, in certain circles, to speak disparagingly of the close of the century, as if the promises held out at its beginning had not been fulfilled. I believe the time has come when a closer inquiry as to the results—a species of centennial stocktaking, so to speak—will not seem inappropriate. Indeed, such an inquiry may be regarded as particularly opportune, now that a century has elapsed since the appearance of the work[1] which, in the sphere of economics, dominated public opinion for two generations, and still exercises a considerable influence upon the development of economic thought. This theory of population has had its opponents and its defenders: but the spirit called by Malthus is still present; and our soothsayers still prophesy under its spell.

The relation between population and the means of subsistence has ever engaged the minds of thinkers among every form of civilization. Malthus, however, presented the question with such unyielding persistence that his views could not but impress themselves firmly on the minds of economists and statesmen. In the consideration of the new issues presented for solution during the declining years of the eighteenth century,—that formative period of a new social system,—the theory of population seemed like a flash of light to the statesmen of the old school. There is no escape from the relentless logic with which Malthus pursues his subject. He traces the generations of men in every clime and age; and after each and every investigation he invariably arrives at the same conclusion: "All hope abandon, ye who enter here."

It was, perhaps, in consequence of the opposition encountered by reason of the harshness of this exposition that Malthus, in a later edition, withdrew the following paragraph:

> "A man who is born into a world already full, if his family have no means to support him, or if society has no need of his labor, has not the least right to claim any portion of food whatever, and he is really redundant on the earth. At the great banquet of nature there is no plate for him. Nature commands him to go away, and she delays not to put that order into execution."

A useless suppression; for this quotation is really the epitome of the

[1] Malthus's "Essay on the Principle of Population."

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work, every page of which is devoted to proving that the condition described in the extract is actually a decree of fate. Malthus holds that if, by any effort of the race,—be it improvement in the means of production, or emigration,—or by a succession of good harvests, the means of support of the lower classes should be facilitated, then population would quickly enough increase again to the danger-point, and invite nature to administer its correctives, unless man were himself ready to apply the preventive. There is a mouth for every crust; and each additional consumer is but a competitor, who, if permitted to live, must, of necessity, reduce the size of the ration.

But, however much we may differ from Malthus at this present day, and however emphatically we may dissent from the opinion that the remedy proposed by him is the only possible solution, it cannot be denied that the England of his day had reached a point where views on population, as expressed by him, must have appeared as the natural consequence of existing conditions. The Poor laws, whatever the beneficent intention of their originators, had produced effects which strongly called for corrective measures. By throwing the burden upon the parish in case of any deficiency, the necessities of life were always sure to be provided, and the rearing of families, thus encouraged, could freely go on. The normal rate of wages was depressed without offering the corrective that would naturally have appeared, had the laborer been compelled to find his own remedies. The nation was pauperized in the effort to secure to the employing classes a constant supply of labor at a low rate of wages. To correct the wretched condition that confronted him, Malthus saw no other remedy than to prevent the increase of population:

> "There are few states in which there is not a constant effort in the population to increase beyond the means of subsistence. This constant effort as constantly tends to subject the lower classes of society to distress, and to prevent any great permanent melioration of their condition."

The state of the poor at the end of the eighteenth century was deplorable in the extreme. Although this had been true to a degree of all times and of all countries, the conditions in England had shown considerable improvement during the preceding generation, from which better state it had been steadily growing worse again. Yet these conditions, bad as they were at the time Malthus published his essay, wore an aspect of brightness, when compared with the contemporaneous conditions on the Continent. The supply of food, generally speaking, was limited to the district that produced it. Transportation, even to neighboring

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sections, was not always easy. England, especially, was lacking in improved means of communication. Its first canal, the Bridgewater Canal, was commenced in 1758, and only completed in 1771. The condition of the comparatively few roads then in existence was bad. Unless crops were abundant, the poor laborers, both in country and in town, had to suffer more or less from the shortage. Malthus neither exaggerates nor exhausts the subject, when he mentions the conditions prevailing in Sweden and Norway, where the poor were accustomed to grind the inner bark of trees and the seeds of grass, and to mix this compound with flour, to be baked into bread.

The same was true of France. The Marquis d'Argenson, Minister of Foreign Affairs under Louis XV, says, in his Memoirs:

> "At the time I write, in the full enjoyment of peace, and with a harvest if not abundant, still of a fair average, people around us are browsing grass and dying like flies of hunger. The Duke of Orleans lately brought to the Council Chamber a piece of bread made of ferns, which we had procured for him. He placed it on the table of the King, saying: 'Sire, see what your subjects live upon!'"

This was written in 1739, after twenty-five years of political tranquillity following the peace of Utrecht: it was during the beneficent low-price period with which France was blessed from 1726 to 1765. According to the tables prepared by M. d'Avenel, the average price for the twenty-five years, 1726 to 1750, was but 79 cents per bush. for wheat, and 48 cents for rye; the average for 1739 being 99 cents for wheat, and 55 cents for rye. Not very high prices by any means, considering the standards prevailing in the seventeenth century, and at the beginning and toward the close of the eighteenth. What, then, must have been the condition of the poor during the years when prices were high?

With all the improvements that had meanwhile been effected, the conditions in 1789 were still so wretched that Arthur Young felt constrained to say:

> "From her too great population she presents in every quarter such spectacles of wretchedness as are absolutely incomparable with the degree of national felicity which she had been able to attain, even under the old government. A traveller, much less attentive than myself to objects of this kind, could not fail to see at every turn most unequivocal signs of distress. That these should exist, no one can wonder who considers the price of labor and of provisions and the misery into which a small rise in the price of grain throws the lower classes."

The excessive population, at that time regarded as a permanent cause of poverty, comprised, according to a census ordered by the Constituent Assembly, about 26,000,000, *i.e.*, only two-thirds of the population

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which the same territory sustains to-day, and supplies with a full diet of wheaten bread. And it was by no means wheat that then furnished the people's bread; nor was the price so very high at the time to which Arthur Young's remarks apply.

According to Vauban's statistical tables, verified by Moreau de Jonnés and other statisticians, not more than 3.39 bush. of wheat per head was available for bread; while a full ration would require 8 bush. All other cereals furnished 7.36 bush. Deducting from this latter the part required for the fodder of animals, etc., a remainder of 5.2 bush. net was left for bread.[1]

Now it must be plain to everybody that wheat was not consumed share and share alike. The well-to-do ate wheaten bread; while the common people subsisted on whatever they could obtain. We must not assume, therefore, that each individual had the combined product of 3.39 and 5.2 bush. as his allotment. On the contrary, the wealthier classes had their full allowance; while the poorer classes alone had to suffer from any deficiency.

Now the inferior kinds of cereals, bushel for bushel, have not by any means the amount of nourishment contained in wheat. Oats, which in the above-mentioned budget constitute the greater part of the 5.2 bush. available for the poor man's bread, stand to wheat in the relation of about 2.25 bush. to 1 bush. of wheat. This fact alone demonstrates the insufficiency of what was considered an ordinary crop. The population, constantly verging on shortage, was consequently exposed to sad plights whenever harvests were deficient. This was of frequent occurrence under the rude system of agriculture. Quesnay, in the article on "Grains and Farmers" in the "Encyclopédie française," written about 1750, states that of the 82,000,000 acres then under cultivation, 45,000,000 were in large farms ploughed by horses; while the remaining 37,000,000 acres were cultivated by peasants on the *métayer* system, oxen being the draught animals. The former class followed the three-year system, *i.e.*, wheat, oats, and fallow; the latter, the two-year system, *i.e.*, one fallow after one crop. In 1789 Arthur Young found this method practically unchanged.

According to M. Léon Biollay ("Les Prix en 1790"), the price of bread at this time was about 10 cents for a three-pound loaf of

[1] Moreau de Jonnés puts the net product of wheat at 23,214,000 hectolitres (67,261,000 bush.), and of all other cereals at 50,297,000 hectolitres (139,714,000 bush.). Of this latter, 14,711,000 hectolitres (40,864,000 bush.) are assigned to the consumption of animals and for manufacturing purposes. The population on which the above *per capita* results are based is estimated at 19,000,000.

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wheaten bread, which, considering the rate of wages, was a pretty high price for the laboring-classes. As the coarser kind of brown bread, however, sold at $1\frac{1}{2}$ cents, and the best quality of rye bread at about $1\frac{3}{4}$ cents, or at $5\frac{1}{4}$ cents per three-pound loaf, the position of the working-classes cannot be considered as altogether bad.

From a variety of sources, including the information on the subject collected under the auspices of the National Assembly, the general rate of wages at this time, though extremely low as compared with present standards, shows an improvement over previous conditions; the average rate being about 22 cents for town, and about 19 cents for country, labor. Carpenters, masons, locksmiths, and other artisans received on an average about 30 cents. But this average is the mean between 20 cents, the lowest rate, and 40 cents, the highest. If, for the purpose of drawing a general picture, I take 25 cents as the average for labor in country and town, then the laborer would scarcely have been able to live up to the standard of prosperity set by Adam Smith and Arthur Young—a standard represented by the equivalent of a peck of wheat a day. According to official data, the average price of wheat during the three years 1788–1790 was $1.16 per bush. This ration would have afforded not more than about four-fifths of a peck *per capita*.

Arthur Young, while regarding France with compassion, speaks with pride of the better conditions prevailing in his own country. According to him, wheat was the bread-stuff commonly used in England, where, in 1789, the price of bread was $1\frac{3}{4}d.$ per lb.,—a price about equal to that just quoted for France. Speaking of the staple article of consumption, he says: "With us it is generally wheat; and in many places the poor people eat of the whitest and best."

If this picture were in any way true, it would cast a serious burden of doubt upon the theory of Malthus. According to it, the people of England during the eighteenth century would have attained a condition which would have been considered a veritable state of bliss by their ancestors of a century previous, notwithstanding the doubling of the population in the interim.

The real conditions can only be revealed by forming an accurate estimate of quantities, comparing the available unit of the two epochs, and then bringing the comparison up to our time. This seems to me to be the only method by which a satisfactory answer to the question of food-supply under increasing populations can be given.

About ten years before the appearance of Vauban's estimate of the population and production of France a similar work on British economic

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conditions was issued in England by Gregory King. The estimates contained in the latter may be found in the works of Charles Davenant (1656–1714). King estimates the population of England and Wales in 1696, or thereabouts, at 5,500,520, his figures being based on the poll-tax returns. He estimates the arable land at 9,000,000 acres, 8,000,000 of which were devoted to corn crops and the remainder to "hemp, flax, woad, saffron, rape, and hops." The total yield, deducting seed, is stated at 79,000,000 bushels, divided as follows: Wheat, 14,000,000; rye, 10,000,000; barley, 27,000,000; oats, 16,000,000; peas and beans, 12,000,000.

If we now divide this product on the basis of population, we shall have 2.55 bush. of wheat and 1.81 bush. of rye *per capita*. The two combined still fall wofully short of supplying the people with the full bread ration. Of the 5,500,000 inhabitants, therefore, only 1,750,000 could have had wheat, and 1,250,000 rye. The remainder of the population, 2,500,000, would have been compelled to depend on barley and oats; and even these last-mentioned rations would have been considerably depleted owing to the large percentage of barley used for beer, and the consumption of oats by live stock,—a consumption heavier than under modern farming by reason of the absence of root crops and artificial grasses. At that time, indeed, a large proportion of the live stock was killed and salted at the beginning of winter, on account of the difficulty of providing winter fodder.

The close margin in the supply of corn is further attested by the continuous importations that had to be resorted to, in order to make up the deficiencies,—a startling fact when we consider the acreage and the population. The situation can be explained only by the backward state of agriculture. Writers of the time, who had the example of Holland and Flanders before them, ascribed the cause of England's slowness in making improvements to the rapacity of landlords and their unwillingness to grant long leases.

The progress in agriculture from about the middle of the eighteenth century, the introduction of crop rotation and permanent culture, the enclosing of common fields, bringing in its train the draining of marshes and the breaking up of waste lands,—in short, the application of capital and intelligence to the soil, changed the picture to such an extent that, while in the seventeenth century England was constantly exposed to the necessity of importing corn, in the second half of the eighteenth century she had become a regular exporter. M. Leonce de Lavergne, in his "Économie rurale de l'Angleterre," writes:

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"It has been estimated that in the second half of the eighteenth century she sold to her neighbors, notably France, cereals to the value of a milliard francs."

And this, despite the fact that population had increased 50 per cent since the Revolution. In the year 1760 it was estimated by Charles Smith, author of the "Corn Law Tracts," that 3,750,000 persons in England and Wales then consumed wheaten bread; while about 2,250,000 lived on bread made of barley, rye, or oats. A considerable portion of the population had still to depend on grains other than wheat; but enough was produced at least to feed the increasing population with a more liberal *per capita* allowance than had been their share during the earlier period above discussed. These conditions still prevailed during the years of war that followed upon the French Revolution. The population, however, continued to increase uninterruptedly; and the extraordinary rate of this increase is shown by the following table:

POPULATION OF ENGLAND AND WALES AND SCOTLAND AT DECENNIAL PERIODS, ACCORDING TO PARLIAMENTARY REPORTS. (*000 omitted.*)

Year.	England and Wales.	Scotland.	Year.	England and Wales.	Scotland.
1700.....	5,475	1,048	1760.....	6,736	1,363
1710.....	5,240	1,270	1770.....	7,428	1,434
1720.....	5,565	1,390	1780.....	7,953	1,458
1730.....	5,796	1,309	1790.....	8,675	1,567
1740.....	6,064	1,222	1801.....	9,163	1,649
1750.....	6,467	1,403	1811.....	10,488	1,865

In 1740 the increase was but 10 per cent over King's figures for half a century before. From 1740, however, the increase continued steadily; and by 1811 the population of England and Wales was double that of a century earlier, and 62½ per cent larger than in 1740. The population of Scotland had increased 60 per cent; thus swelling the numbers to be fed, by 4,424,000 in England and Wales, and by 643,000 in Scotland. The population of Ireland had increased from 1,500,000 in 1695 to nearly 6,000,000 in 1811,—a prodigious increase, due principally, it is claimed, to the introduction of the potato.

The population having grown to such proportions, let us see what was the *per capita* share of the food-products in 1812.

Though England was self-sustaining, the distress existing at that time was such as had not been known since the days of the Stuarts. From 1795 to 1815, causes combined to drive up prices to the famine-point and to keep them there during the greater part of the time. While the average price of wheat, according to the Eton College record (quoted

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by Tooke), for the fifty years closing with 1765 had been 35*s.* per quarter ($1.04 per bush.), the average for the twenty years, 1795–1815, was 85*s.* ($2.57 per bush.). The longest succession of dear years was from 1809 to 1813. The average price in any one of these five years was not below $2.93; and in 1813 the price reached $3.67.

During all these years of famine prices, importations were small. Wheat in 1808 averaged 85*s.* ($2.54 per bush.); and the exports exceeded the imports. The net imports for the five successive years of highest prices—years unparalleled in this respect in the history of England, or indeed in that of any other country—are given in the following table, with the average "Gazette" prices for the respective years:

NET IMPORTS OF GRAINS INTO THE UNITED KINGDOM.

In thousands of bushels.

Year.	Wheat and Flour.	Barley.	Oats.	Total Grains.	Price of Wheat Per Bushel.
1809	6,584	172	3,104	9,860	$2.95
1810	23,128	200	1,204	24,532	3.25
1811	2,372	240	92	2,704	2.93
1812	1,904	156	100	2,160	3.73
1813	5,300	5,020	472	10,792	3.34

In 1811, when wheat averaged $2.93, only 2,704,000 bushels of all grains were required; and in 1812, with the average price at the extraordinary figure of $3.73 per bush., only 2,160,000 bushels were imported. In the worst year 24,532,000 bushels were imported to cover the deficiencies of a bad harvest.

Let us now compare the amount of food-products available at this time with that produced about a century before. According to Charles Davenant's estimate, based on the figures of Gregory King, the live stock of England and Wales toward the close of the seventeenth century was as follows: Horses, 1,200,000; horned cattle, 4,500,000; sheep and lambs, 12,000,000; swine, 2,000,000. The following figures for 1812 are given by Colquhoun in his treatise on the "Wealth, Power, and Resources of the British Empire" (London, 1815): Horses, 1,500,000; horned cattle, 5,500,000; sheep, 25,000,000; hogs, 1,500,000. The stock kept during the former period had to supply the needs of a population of 5,500,000; while that of the latter period had to fill the demands of 10,500,000. While the increase in sheep had been fully proportionate to the increase in population *per capita*, decline was noticeable in horned cattle and hogs, unless the number of these was

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overestimated by Gregory King,—a very strong probability considering the difficulties attending the supply of fodder.

There was, however, a far greater meat-supply for the year 1812 than for 1696, and this from two sources: (1) While the rearing of cattle was carried on to a great extent in Ireland and Scotland, a preponderating share of the eating was done in England. (2) There had been a change in the weight of animals. The average weight of oxen bought at Winchester for 50 years, *i.e.*, from 1643 to 1692 (as reported by Thorold Rogers in his "History of Prices"), was 558½ lbs.; while that of sheep was 40 lbs., computed at dead weight. The College at Winchester secured its supply, of course, when the animals were in prime condition. Private farming accounts, however, show much lighter weights. Five head, slaughtered for winter beef at one killing, show an average of 396½ lbs. Cows are a little more than half the price of oxen; and their weight is in proportion. Calves, according to the Winchester accounts, were killed when they weighed about 94 lbs. At the later period to which I have alluded the average weight of the animals was fully 50 per cent greater than in the seventeenth century. Although, according to these facts, the *per capita* supply was, if anything, fuller, yet the price to the poor was very much higher. According to the Oxford College and other accounts published by Thorold Rogers, the average price from 1693 to 1702 for beef was 3*d.*; for butter, 6.85*d.*; and for cheese, 4*d.* per lb.[1] According to Leone Levi ("Wages and Earnings of the Working-Classes"), the prices paid at Greenwich Hospital in 1810 were: Beef 7.70*d.*, butter 13.37*d.*, cheese 8½*d.* per lb. Flour was quoted at £4 8*s.* 4*d.* the cwt.,—equal to 9½ cents per lb., or $18.62 per barrel.

I have intimated that the home supply of grain was sufficient to feed the nation. Still more important, however, is the fact that the product per acre was much larger, and that the consumable quantity *per capita* had considerably increased. We have Colquhoun's tables of production for the United Kingdom,—the most valuable data for that period,—together with the statement of Combers and others concerning the acreage under cultivation in the British Isles for the same year (1812). If we allow the same rate of productiveness to each of the three divisions of the Kingdom, we shall obtain a fairly correct estimate of England's share of bread-corns, which cannot vary much

[1] An indirect proof that the meat-supply had increased proportionately with the growth of population is rendered in the price. In 1790 prices of meat and dairy products had changed but slightly from those of a century earlier. Greenwich Hospital in 1790 paid £1 12*s.* 10*d.* per cwt. for meat, or 3.73*d.* per lb., for butter 6.5*d.* per lb., and for cheese 4*d.*

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from the actual product, especially as the English acreage was by far the largest in all grains except oats.

PRODUCTS OF THE UNITED KINGDOM OF ALL GRAINS, EXCLUSIVE OF SEED, IN 1812.

Crop.	ACREAGE UNDER THESE CROPS, IN THOUSANDS OF ACRES.				Yield of United Kingdom in Thousands of Bushels.	Yield of England in Thousands of Bushels.
	England and Wales.	Scotland.	Ireland.	United Kingdom.		
Wheat.....	3,160	140	450	3,750	73,360	59,150
Rye.....	250	....	....	250	5,480	5,480
Barley.....	1,500	280	400	2,180	50,680	34,870
Oats.....	2,000	1,000	2,000	5,000	143,600	57,450
Beans and Peas.	500	118	....	618	14,880	12,000
	7,410	1,538	2,850	11,798	288,000	168,950

The foregoing statement derives additional interest by comparison with the yield of the time of Gregory King. I subjoin a table of the product and of the acreage under crops, and add columns containing the comparative share *per capita* and the net yield per acre at both periods. King states the total acreage only; but he gives the yield of each of the grains, and the proportion of seed per acre, from which an estimate of the acreage for the separate crops can be drawn.

ACREAGE UNDER CROPS IN ENGLAND AND WALES, AND THE NET YIELD, WITH THE *Per Capita* PRODUCT AND PRODUCT PER ACRE, IN 1696 AND 1812.

Crop.	THOUSANDS OF BUSHELS.		THOUSANDS OF ACRES.		AVERAGE NET YIELD PER ACRE IN BUSHELS.		PRODUCT *Per Capita* IN BUSHELS.	
	1696.	1812.	1696.	1812.	1696.	1812.	1696.	1812.
Wheat....	14,000	59,150	1,750	3,160	8	18.7	2.54	5.63
Rye.....	10,000	5,480	1,250	250	8	21.9	1.82	0.53
Barley....	27,000	34,870	2,700	1,500	10	23.2	4.91	3.32
Oats.....	16,000	57,450	1,140	2,000	14	28.7	2.91	5.47
Beans and Peas....	12,000	12,000	1,200	500	10	24.	2.2	1.15
Totals and Averages.	79,000	168,950	8,040	7,410	9.88	22.85	....	....

The estimates of acreage and of crops may lack the statistical accuracy that should be characteristic of the data supplied by a well-organized Government service. Such a service, even under the British Govern-

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ment, is, however, of recent date. Now, whatever criticism may be applied to the former would be applicable also to the latter period. Low as the average product per acre in 1696 appears, when compared with that of 1812 or with that of our own day, it is nevertheless superior to the average product in France for the same period. Careful estimates and comparisons of Vauban and other authorities confirm Moreau de Jonnés in the opinion that the average return for the whole of France was not more than four times the seed. The low state of agricultural development at that time could hardly promise a very different result. The progress made between the two periods, as shown by the above statistics, is really the most remarkable of any country or age, especially when we consider that in 1812 the improvements, through which alone it was possible to obtain the larger ration for a rapidly increasing population, had been inaugurated barely two generations earlier.

In 1812, on about an equal area *per capita*, there were 5.63 bush. of wheat grown, as against 2.54 bush. at the end of the seventeenth century. In other words, while at the close of the seventeenth century .0315 acres were required to produce 2.54 bush., in 1812 5.63 bush. were grown on .033 acres. In 1696 rye was the cereal chiefly used for the bread of the poorer classes: in 1812 rye had been almost entirely supplanted by wheat. This in itself is a proof of the amelioration of the soil that had meanwhile been effected,—a phenomenon observed in all countries as a result of progressive agriculture. The two grains combined gave but 4.36 bush. *per capita* in 1696, as against 6.16 bush. *per capita* in 1812. When we consider the high prices prevailing in 1812, notwithstanding the comparative fulness of the food-supply, we can form a conception of the patient endurance displayed by the poorer classes of that day.

As may be readily conjectured, these were halcyon times for the landed interest. The landlord and the farmer were united in a common bond to keep up prices. They controlled Parliament; and they made good use of their opportunities. Whenever the seasons were favorable, and prices, in consequence, diminished, the cry was raised that landlords were distressed and farmers ruined. In 1791 a new corn law was enacted, under which a very heavy duty was imposed on imports of wheat when below 50*s.* a quarter ($1.51 per bush.). In 1815, when, in consequence of good harvests, prices had fallen somewhat below the previous famine rate to an average for the year of 66*s.* ($2.00 per bush.), an Act was passed (probably to compensate the nation for its numerous sacrifices) by which the farmer was practically guaranteed a monopoly of the home

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market so long as the price did not exceed 80*s.* a quarter. The sliding scale of 1828 still provided that if the price were 50*s.* the quarter, the duty should be 38*s.* 8*d.*; if 55*s.*, 31*s.* 8*d.*; if 60*s.*, 26*s.* 8*d.*; if 65*s.*, 21*s.* 8*d.*; if 70*s.*, 10*s.* 8*d.* The English ports were to be opened when the price reached 75*s.* In other words, the danger-signals were to be raised, and free importation prohibited, when the price was 75*s.* instead of 80*s.* as in the former law.

The influence of fiscal laws (made by privileged classes) on prices can be readily perceived by contrasting the French and English prices prevailing at that time. In preparing the table given below I have reduced the English and French moneys and measures to dollars and bushels. From 1802 to 1816 the English price quotations were subject to a gold premium. In order to make my comparison clear, I have reduced these prices to par. The annual price quotations presented in the table are the average prices for the respective years; the French being taken from the Report of the Minister of Agriculture, "Enquête décennale," and the English from the London "Gazette." The five- and ten-year periods represent the average for all the years of the term.

COMPARATIVE PRICE OF WHEAT PER BUSHEL.

Years.	England.	France.	Years.	England.	France.
1790.....	$1.66	$1.37	1812.....	$3.02	$2.13
1796–1800....	2.24	1.30	1811–1816....	2.13	1.73
1801.....	3.60	1.76	1822.....	1.36	1.07
1801–1805....	2.07	1.40	1821–1830....	1.81	1.3
1809–1813....	2.72	1.65			

Thus we see that the task undertaken by the rulers of England to restore the *ancien régime* in France did not by any means redound to the profit of the English working-classes.

Nor were the English working-classes compensated for the rise in prices by a corresponding increase in wages. The landed interest understood perfectly how to handle the agricultural hind: the poor-tax made up the deficiency. The amount annually distributed during the dear years rose to £8,000,000. The town populations were not much better off. The Greenwich Hospital records show that the daily wages of certain crafts for the decade 1780–1790 were as follows: Carpenters, 2*s.* 6*d.*; bricklayers, 2*s.* 4*d.*; masons 2*s.* 10*d.*; and plumbers 3*s.* 3*d.* These wages were substantially the same as those paid during the cheap years, 1730 to 1760. In 1800, when wheat was nearly three times as

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high, the wages of carpenters had increased only 8*d.*, and those of bricklayers, 6*d.* The wages of masons and plumbers were the same as in 1780–90. It was not until 1809 that the wages of artisans and agricultural laborers had increased to about double the price paid during the cheap years. Other departments of labor were by no means so well paid. It appears, from a remonstrance of journeymen tailors, that from 1777 to 1795 their wages had been £1 1*s.* 9*d.* per week, for which they could purchase 36 quartern loaves at 7¼*d.* the loaf; while the utmost advance up to £1 7*s.* 0*d.* a week in 1801 would purchase only 18½ loaves at 17½*d.*, which was then the price.

Ireland subsisted on potatoes; and its population continued to increase. Oatmeal filled the gap from the end of one potato crop to the beginning of another. In Scotland oats formed the staple article of food.

I have deemed it necessary to outline with some minuteness the situation governing the food-supply of England. In regard to supply we note a great improvement over the previous century; nevertheless, conditions had intervened which rendered the state of the poorer classes most miserable. For, even if the *per capita* quantity was greater, the price was so high, and wages were so low, as to render it impossible to obtain a sufficient quantity of bread. "If the poor classes would only cease to multiply," said some. "There is a full supply for a given number only." Others contended that there was only a limited fund disbursable in wages, beyond which the capitalist could not go without ruining himself and the laborer as well. In this way the mind became entrapped within a false and narrow circle of reasoning.

Nevertheless, as if in contradiction of all these theories, production kept on increasing, both in the aggregate and in the unit *per capita* and per acre. The high prices served as an inducement to put additional acreage under cultivation. The legislature was complacent. The Enclosure Acts followed one another with wonderful rapidity. Down to 1843 more than 7,000,000 acres had been enclosed in England and Wales alone. The effects of those improvements in agriculture dating from about the middle of the eighteenth century were now perceptible. In 1811 we found Great Britain with about 12,000,000, and Ireland with about 6,000,000, inhabitants. By 1840 Great Britain's population had increased to 17,500,000, and Ireland's to 8,000,000,—an increase of 40 per cent within a generation.

The production of food, however, kept pace with the growth of population. During the first forty years of the nineteenth century, includ-

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ing many years distinguished by famine prices and the partial failure of crops, the net imports amounted to 200,000,000 bushels,—an average of 5,000,000 bushels per year. For the five years 1832–1836, the imports averaged under 1,000,000 cwts. in wheat and flour, and but 500,000 cwts. in all other grains. These were years of good harvests and comparatively low prices. Still, the average price for these years was 6*s.* 2*d.* ($1.50) a bushel. On the other hand, in France, the price average, according to the report of the French Minister of Agriculture, was $1.23 per bush. (Fcs. 17.26 per hectolitre). These five years were, however, by far the lowest price years on record since 1795. The suffering of the people during that long period is well known. Though wealth was constantly increasing, the wretchedness of the people, if not increasing, was certainly not diminishing. It was under such conditions that the dull English factory-hand manned himself for the great efforts made in the Chartist days,—efforts that finally led to Reform and Free Trade.

Yet it was from the evil conditions prevailing from about 1795—conditions which steadily grew from bad to worse—that Malthus and Ricardo drew their deductions. The sombre and forbidding character of the theories which they propounded are a reflex of the economic conditions of the times with which their reasoning is identified. Were these conditions—immutable poverty on the one hand, and constantly increasing wealth on the other—due to a law of nature, as the classical economists and their apologists want us to believe, or to the laws of man? Surely the distinction is one of vital importance.

The data at our command show that existing facts did not altogether warrant the sombre forebodings. An outlook wider than that over the field enclosed by insular limitations might have altered opinions as to the apparent law of nature. In casting their horoscope, these writers ignored a vital element, namely, the influence of freedom. The omission of a feature so important has repeatedly led to many fallacies; and I cannot conclude this article more fittingly than by recalling the well-known words of Montesquieu—words applicable not only to agriculture, but to all human exertions aiming at the economic welfare of the race: "Les pays ne sont pas cultivés en raison de leur fertilité, mais en raison de leur liberté."

J. SCHOENHOF.

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WAR'S AFTERMATH.

POETRY, history, and fiction picture for us in the most vivid colors the glories of the heroic charge, the fierce assault, the blood-stirring advance of the thin line against serried columns, the stern repulse of seemingly overwhelming thousands of fanatical savages by a small but unbroken square of British bayonets. But the greatest perils of war are not those of "the imminent deadly breach," the wild charge of the open battle, the humming sweep of the machine-guns, or even the awful bursting lyddite shells. The actual losses in battle form but a very small part of the casualties in war; so much so that, if the mortality caused by disease could be cut off, the losses in action would be hardly worthy of remark in comparison.

At the close of the late Soudan campaign, and after the regiments of the British Division had returned to Lower Egypt, to Crete, or home to England, the public were grieved and astonished—though astonishment there ought not to have been—at the announcements in the daily press that the soldiers of the Queen, who had escaped the spears and the shot of the Dervishes, were dying like flies. In one regiment alone (the Second Battalion of the Rifle Brigade) no fewer than 50, or nearly 82 per cent of the original strength, died in Crete from the effects of the brief campaign which ended at Omdurman.

The aftermath of war is serious and important; and my remarks in this paper are based, not only upon actual records, but also on the experience of three campaigns undertaken in the capacity of war correspondent. It is not easy to obtain reliable information on the subject, first because governments are not too ready to say much about it, and second, because of the inherent difficulties in tracing the effects of war on the individual members of an army, apart from what is called the "butcher's bill." On applying to the Army Medical Department of the British War Office for statistics of the after-results of campaigns, I was informed that "no such statistics as regards the British Army have been published in any form convenient for reference," but that there were "several allusions to outbreaks of enteric fever, etc., among troops returning from campaigns in the published reports of the Army

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Medical Department." Prolonged and patient research in the British Museum showed that, at any rate since 1880, the special reports of the medical officers in the different campaigns have ceased to be attached to the bald tables of the health of the army given in the Blue Books. I have, however, been able to gather a considerable amount of material on the subject under consideration, which may be instructive, and will, I hope, prove interesting.

I confine myself to some of the wars of the present century in the Old World. It is only natural that a beginning should be made with the notorious and ill-fated Walcheren Expedition under Lord Chatham in 1809. Out of 41,000 men composing the Expeditionary force there were 7,000 deaths, or 23.33 per cent, from disease; while no fewer than 12,863 soldiers were sent home in shattered health. The most terrible lessons, however, are to be learned from the Crimean War, still vivid in the memory of many. Sir William Howard Russell, in his "Personal Retrospect of the Battles of the Alma, Balaclava, and Inkerman, and of the Winter of 1854–55," writing of the effects produced by sickness on the British army as compared with losses in the field, says:

"In the month of April, 1854, the number of sick in Lord Raglan's army, quartered in Turkey and in Bulgaria . . . was 503. In July, when the army was concentrated round Varna, and camp sickness of various sorts became marked before the cholera was thoroughly developed, the number of sick increased to 6,937. In the month of September the sick increased to 11,693. In November the sick numbered 16,846. In December the number increased to 19,479. In January, 1855, the sick cases reached the appalling figure of 23,076!! Under the head of "Died in the East," the figures are 390 officers, 20,707 men: invalided home, 1,407 officers, 14,901 men—a total decrease of 37,405. There were 2,755 killed in action; died of wounds, 1,619; total, 4,374. In other words, the loss from the fire and steel of the enemy was less than one-eighth of that which resulted from the hardships of a winter campaign, which were needlessly aggravated by want of care in providing for its exigencies."

For every Englishman of army age who died at home, nearly 23 died in the Crimea. But even at that rate the mortality in hospitals from wounds did not exceed 3 per cent of the British force; while the deaths from all causes were 23 per cent of the force in the field. For every man—reckoning age and numbers—who died at home from zymotic maladies, 93 died in the army in the near East from fevers, diarrhœa, dysentery, or cholera. In an official report it was stated that,

"except perhaps in one or two of the mediæval epidemics, no pestilence of which we have any record would form such a picture for eight consecutive months in the first year of the war. During a period of four and a half months from the landing in the Crimea to the end of January, 1855, out of 13,093 sick shipped for Scutari,

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976, or 75 per 1,000, died on the passage of only three hundred miles. In January, 1855, there were actually lost on the passage 10 for every 100 received at Scutari alive. Of those who landed, 2 were lost out of every 5 treated in the hospitals on the Bosphorus during the month of February, and 1 out of every 2 at Koulali, the worst of the hospitals."

The West Coast of Africa has ever had the reputation of being the white man's grave. In 1824 the Royal African Regiment was sent out to garrison the British West African Settlements. At Cape Coast, out of 225 men, 221 died from disease; and, taking the average of three years, 69 per cent of the whole regiment died per annum.

"It became necessary to enumerate the strength in each quarter, as the troops were cut off with such rapidity that few lived to complete one year in the command."

In May, 1873, the Cape Coast settlement was invaded by an Ashanti army. Six officers and 104 non-commissioned officers and men of the Royal Marines were landed at Elmina and repulsed the invaders with the loss of 1 killed. But in three months, owing to fever and dysentery, 47 only were fit for duty. Only 14 had not suffered from climatic sickness; while all but 85 had died. On the voyage home, or immediately after arrival, 13 died. Fifty-eight were sent to hospital, and 17 discharged. The total mortality was 17.30 per cent; and the survivors were completely shattered in health.

On January 1, 1874, Gen. Wolseley's expedition for the capture and destruction of the Ashanti stronghold at Coomassie was landed at Cape Coast Castle. It consisted of 2,587 European officers and men, who accomplished their trying march to Coomassie, and returned to Cape Coast Castle on February 28, with the strikingly slender mortality of 3.08 per cent. No rum ration was issued. There were 270 officers, of whom 5 died in battle or from wounds; and 190 were admitted to hospital, suffering from fever or dysentery, of whom 21 died. Of the 2,300 non-commissioned officers and men, 1,503 were admitted to hospital, suffering from fever, dysentery, or sunstroke, of whom 53 died; while only 13 were killed in action or died of wounds. Of the 2,377 black troops engaged, 1,459 were admitted to hospital from diseases, and 43 died; while 21 died in battle or of wounds.

In the Chinese War of 1860, out of 12,000 European troops, 1,769 were treated for intermittent fever, with a mortality of 2.25 per cent, and 3,374 for diseases of the bowels, with a mortality of 3.14 per cent. Now, the deaths in action and from wounds reached 222 only, or 1.8 per cent of the force, as against 5.39 per cent from the above-named two

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diseases. But, says the official medical report, "of all the agencies which produced sickness, the sudden vicissitudes of temperature were the most powerful."

In the New Zealand War, extending from 1862 to 1865, the average number of troops engaged was a little over 8,000. The total killed in action or who died of wounds was 241, or 30 per 1,000. No statistics of the number who died from disease during active operations are obtainable; but in the year following the close of the war, although a third of the army had returned to England, there were no fewer than 2,506 cases of disease and 64 deaths from the effects of the war. When the troops were on the move and kept at work, sickness was seldom known. But zymotic diseases invariably appeared at localities occupied for any length of time.

In the Abyssinian War of 1867–68 the troops suffered most from the great heat on the coast, the trying climb up the precipitous mountains to the table-land, the bad water, and the daily range of temperature in the highlands, which latter made the nights Siberian and the days tropical. The average strength of the Expeditionary force, apart from the line of communications, was 2,674 officers and men, of whom no fewer than 1,332, or 49.81 per cent, were under treatment for disease,—principally intermittent fevers and bowel complaints. The total deaths were 35, or 1.30 per cent; while no fewer than 333, or 12.45 per cent, were invalided home. No British soldiers were killed in action.

The Kaffir War began in 1877. In that year there were 2,586 British troops at the Cape, of whom 76 died of wounds and disease. There were 1,018 admissions to hospital; and 54 men were permanently invalided home. The diseases were intermittent fevers and dysentery, due to harassing marches, exhausting heat in the day and chills at night, and impure water. In 1878 there were 5,629 British troops at the Cape. The admissions to hospital numbered 5,216; the deaths were 111; and, on the average, 267 were constantly sick. Admissions to hospital numbered 926.1 per 1,000, deaths 19.72 per 1,000, and the constantly sick 47.52 per 1,000.

The Zulu War broke out in 1879, when the number of British troops in South Africa was 12,564. The admissions to hospital were 12,263; the deaths numbered 1,248; 1,400 invalids were sent home; 268 were discharged from the service ruined in health; while the average number constantly sick was 696. The proportion of admissions to hospital was 976 per 1,000; of deaths, 99.33; of invalids sent home, 111.43; of discharged, 21.33; and of constantly sick, 55.40. In the year following

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the close of the war the figures were: Admissions to hospital, 797 per 1,000; deaths, 32.24; invalids sent home, 47.19; invalids finally discharged, 40.16; and constantly sick, 53.74.

During the war in Egypt in 1882, which included the bombardment of Alexandria, and the battles of Kassassin and Tel-el-Kebir, the average strength of the British army was 6,198. In the first half-year from the landing of the troops there were no fewer than 14,392 admissions to hospital and 551 deaths from disease, of which latter 223 were due to enteric fever. The killed in action throughout the campaign totalled 113; while 3,229 were invalided home, of whom 256 only were suffering from wounds received in action. The ratio per 1,000 of deaths or wounds on the battlefield was 18.23; whereas the deaths from disease per 1,000 were 72.73, and invalids sent home, 520.97.

In the following year there was no fighting; but disease was rife among the Army of Occupation, which averaged 7,897 men of all arms. The admissions to hospital numbered 8,995; the deaths were 275, of which 50 were from enteric fever and 139 from cholera. The invalids sent home numbered 669, of whom 176 were finally discharged on account of broken-down constitutions. The ratio of deaths per 1,000 was 34.82; of invalids sent home, 84.71; and of those finally discharged, 22.29.

I have been unable to obtain statistics regarding the health condition of the Nile Expedition for the relief of Gordon in 1884–85; but in 1885 in the force retained on the frontiers the ratio of deaths was 28.98 per 1,000 (in some regiments it was as high as 58 per 1,000), and 40 per 1,000 were invalided. The high mortality and large number of invalids were due to the trying after-effects of the campaign.

The after-effects of forced or peculiarly trying marches have proved a great source of mortality and sickness.

The terrible aftermath due to frost and snow also presents some of the most horrible features of war. I need only refer to the French retreat from Moscow, and the sufferings of the Russian and allied armies in the Crimea. But take the later Russo-Turkish War. On the capture of Kars by the Russians, Gen. Melikoff was overburdened with his own wounded; and he sent his wounded Turkish prisoners to Erzeroum. Each man was presented with a blanket and money to support him on the road. Dr. Ryan in his book, "Under the Red Crescent," says:

> "The snow lay thick on the frozen ground; and for league after league the legion of the wounded dragged themselves along, staining the snow with their blood as they blazed their pathway from Kars to Erzeroum."

Of the 2,000 men who left Kars, only 317 reached Erzeroum after

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the march of 180 miles. Owing to frost-bite, the flesh had rotted off the hands and feet; and the bones were black with decomposition.

Out of the 30,000 Turkish prisoners taken at Plevna 9,000 succumbed to exposure, starvation, and disease *en route* from Plevna to Kharkoff in Russia. Lieut. W. V. Herbert, an Englishman in the Turkish service, who was one of the prisoners, thus describes the journey:

"It lay through a snow-clad country in severe frost with snowstorms and bitter winds. . . . I saw at least 400 men drop down, taken as little notice of as if they were so much offal, to die of starvation and exposure, or to be devoured by wolves, which prowled round our column. Over each man who fell a hideous crowd of crows, ravens, and vultures hovered, until he was sufficiently exhausted to be attacked with impunity."

Of Osman Pasha's army, which originally numbered 48,000, only 15,000 reached Russian soil, and only 12,000 returned to their homes. It is estimated that 50,000 Turks died in captivity.

From the foregoing it is evident that the causes of the aftermath of war are manifold. Let me briefly summarize them: (1) The character and climate of the country in which the campaign takes place; (2) the sanitary condition of the army, and the efficiency of the hospitals and the medical and surgical department; (3) the food, drink, and clothing of the troops, and the degree to which the troops are exposed; and (4) the individual constitutions of the soldiers and the general hardships to which they are subjected.

I. *The Character and Climate of the Country.*—The staying power of an army in average health will depend on the physical features of the campaigning-ground, whether it be mountainous or simply hilly, desert of sand, flints, bowlders, and ridges, whether it consist of alluvial plains, swamps, or unbroken forests, or whether it be checkered by frequent rivers. All these characteristics have been illustrated in the different campaigns I have summarized. Probably the worst for breeding deadly fevers are swampy and alluvial plains.

Then as to climate, that depends in some degree on the season of the year in which the campaign is undertaken. A rainy season is dangerous because productive of the worst class of fevers and rheumatism. Great heat is exhausting. Frost and snow are prolific sources of mortality and impaired constitutions. What is called "enteric fever" seems to be the most constant scourge. Military doctors are not agreed as to its cause. One British surgeon, for instance, says that it is endemic in the valley of the Nile, local insalutary conditions inseparable from all camps in or near cultivation affording foci; while another declares that

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its prevalence must be chiefly owing to climatic causes and not to the insanitary condition of the camps or water-supply.

From the researches of Dr. Koch it would appear that insects spread fevers and plague. Mosquitoes and fleas undoubtedly communicate infection. Their bite or sting, unnoticed at the time, transfers to the human body an infinitesimal dose of poison. This may take time to develop in the system, and may not become virulent until even a prolonged period after inoculation. A tiny black fly in the Soudan caused purulent sores which affected the general health.

The garrison of Erzeroum in the Russo-Turkish War numbered 17,000. One day in January, 1878, no fewer than 302 deaths took place from fever; and the daily rate for weeks was 200. Nor were the investing Russians in better case. Gen. Melikoff declared that his army of 60,000 lost 40 per cent from typhus fever and exposure.

Gen. Kuropàtkin, the Russian historian of the war, declares that after the third battle of Plevna, on September 11, the losses from illness among the Russian infantry were 200 per day, which, adding 10 per cent for the cavalry, artillery train, and staff, would represent a loss from sickness, induced by hardships, exposure, bad sanitation, and indifferent food, of 20,000 in the three months preceding the fall of Plevna.

The effects of malaria, high temperature, and extremes of dryness and moisture—begetting fevers, dysentery, liver complaints, and epidemic cholera—are the main sources of mortality in the Indian army, which cannot be placed at a lower rate than 41 per 1,000, though it is often as high as 60 per 1,000.

It may be conceded that the deadliness of warlike methods and weapons has developed to an enormous extent of late years, and that mortality from disease and climatic risks has somewhat, perhaps materially, diminished, owing to the greater care taken in the preparations for a campaign, to the improved stamina of the soldiers resulting from stricter selection, and to the advances made in military hygiene and in the whole apparatus for the medical and surgical care of the troops. Twenty years ago insurance companies demanded as much as £20 for every £100 insured, if a soldier going on active service wished to keep his life-policy in force. Even Lord Wolseley, though General-in-Chief of the army, had on one occasion to pay as a war risk £25 for every £100 insured. A great English insurance company some years ago went into this question, and, after what it regarded as an exhaustive inquiry, arrived at the conclusion that the annual addition to the nor-

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mal mortality arising from military and naval risks of war and climate amounted to about 7.5 per 1,000. Of this, one-half represented the addition in respect to foreign service in time of peace (or climate risks); and the other half, the addition in respect to military operations (or war risks). And the company offered—and still offers, I believe—to issue to officers a "whole world and war policy," covering all risks in respect of climate and warfare, for an annual addition of 8*s.* 8*d.* for every £100 of assurance in the case of an officer aged 30, and of only 3*s.* 9*d.* per cent if the officer be 45 years of age.

II. *The Sanitary Condition of the Army and the Efficiency of the Hospitals and the Medical Department.*—In war all armies have suffered from the neglect of ordinary hygienic precautions; and some armies have been all but destroyed in consequence. Nearly six-sevenths of the vast host with which Napoleon I invaded Russia perished or ceased to be effective before the setting in of the fierce cold which destroyed the remainder.

The improvement in hygienic conditions in the British army within the past thirty or forty years has been striking. The most elaborate provision is now made for maintaining a high state of sanitation, both in barracks and in the field. Yet, from the very conditions under which war is waged, the sanitation of an army can never be absolutely good. No one who has not taken part in a campaign, nor followed in the wake of an army in the field, can realize what the *detritus* of an army on the march really is. With all care, even in burning the most obtrusive part, it must, under certain conditions of climate, breed pestilence. Camps become foul in an incredibly brief time. Regulations may be issued for latrines and the burial or cremation of refuse, yet Tommy Atkins risks punishment by avoiding the former and spreading broadcast the latter. Rules as to the use of drinking-water are evaded. Troops during or after a long and fatiguing march under a hot sun will rush to stagnant water-holes, or slimy pools, even though they are told and intuitively feel that the result will be fever, or worse. Even if provided with filters, they either will never use them or will throw them away, as they did in India, in Egypt, and in the Soudan. Dr. Ryan says:

"At Plevna uncleanness was rampant, regulations and penalties notwithstanding. . . And the camp became one vast cemetery, with the town for its central charnel-house. The mortality was appalling. There was hardly a man who was not suffering from something or other—exhaustion, fever, dysentery, rheumatism, ague, bronchitis, galloping consumption, open wounds, frost-bites, broken limbs. A cholera-like infection and a contagious influenza claimed many victims. There were also cases of small-pox, typhoid fever, diphtheria, even leprosy, and insanity.

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. . . The hideous diseases raged unchecked, and did more ravage in a day than the Russian guns in a week."

Modern hospital arrangements are princely and luxurious compared with what they were twenty or thirty years ago; but even now they are often inefficient or inadequate. Unforeseen causes may increase the sick-list. Hospitals—either at the front, communicating, or at the base—get crowded: disease spreads and becomes more deadly. Too often the hospital work, in the hands of overworked doctors,—especially if the campaign be prolonged,—degenerates into a desperate struggle against wounds, want, filth, disease, and death. Then, ambulances may be and often are too few; stretchers are found unprovided with hoods; and the sick and the wounded suffer untold agony from the lack of protection from the sun, rain, or dew. I may cite the conditions which existed in the early stage of the late Soudan campaign, when the sick and wounded were being carried on angareps and extemporized stretchers from the battlefield on the Atbara to the Dakala fort for embarkation on the Nile boats for conveyance north to Cairo. One-half of the convoy, which, for greater comfort, had been divided in marching across the sandy desert, lost its way in the darkness, and took fourteen or fifteen hours to complete a journey which the other half accomplished in six or seven. The desert silence was broken by the groans of the sick and wounded, which I can never recall without a shudder. The *personnel* and the scientific skill of the army medical corps are admittedly superior to what they were some years ago; nothing could apparently have been more complete than the medical arrangements for the Soudan campaign; but withal there came the tale of unwounded soldiers dying like flies.

III. *The Food, Drink, and Clothing of Troops.*—"An army," said the Duke of Wellington, "fights on its stomach." It would be hazardous to say that never again will a British army suffer from hunger like that which our soldiers endured in the Crimea. Sieges have to be undertaken; and war's emergencies often compel an army to march long distances ahead of its supplies. Generally speaking, the food is now both good and plentiful. The "dried-meat, bran, and flour biscuit" is an excellent stand-by. In a very short time, however, loathing follows a continuous diet of tinned meats and vegetables. In the Greco-Turkish campaign the Greek troops maintained fairly good health so long as they could draw upon the flocks of sheep grazing on the Thessalian plains; but at Domokos, when these failed and they were restricted to biscuit, dysentery set in.

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As to drink, where the water is bad, the men will seldom take the trouble to purify it either by filters or by precipitants; and outbreaks of malarial and other fevers and cholera are the result. This point I have already elaborated.

With regard to the supply of alcoholic liquors to our army in the field a great change has taken place, which would have found small favor with the *Dugald Dalgettys* and the traditional roistering campaigners in Flanders. Major Ulysses Macnamara half a century ago wrote as follows:

> "Time was when every man belonging to a regiment would be found drunk or unfit for duty, when a battalion on the West Indies station would be ordered an eight- or ten-mile march for the purpose of 'sweating the grog out of the men,' when a pint of arrack, one of the fieriest and vilest of spirits, was issued as a daily ration to the troops in India, and when regiments would be confined to barracks the whole of Saturday, in order that the men might be sober for church parade on Sunday."

At Tientsin, in the Chinese War, "samshoo," a native spirit, "came to exert its influence and, aided by a tropical sun, almost drove the men mad." Alcoholic drinks are, however, now eschewed by the best commanders. "Havelock's saints" performed their heroic feats in marching and fighting in the Indian Mutiny on coffee alone as a beverage. In the Red River Expedition of 1870 under Gen. Wolseley, no spirit ration was issued; and certainly says the "Medical Report," no men could have enjoyed better health than the troops without it. Out of 710 men engaged only 5 were invalided. The old-fashioned rum ration was not issued in the Ashantee War of 1873,—which also was under the command of Gen. Wolseley,—though a small "tot" was given to individuals, when specially prescribed by the medical officers. The result, as already pointed out, was that in the pestilential climate of the hinterland of the Gold Coast the total mortality from all causes was only 3.14 per cent of the whole strength of the British troops. In the Kaffir War of 1877–78 rum as a ration was strictly prohibited; and the good health of the troops was attributed to enforced abstinence from spirituous liquors.

In the Soudan the Sirdar prohibited all alcoholic liquors. A consignment of several hundred barrels of beer sent by a speculative sutler from Cairo to Wady Halfa, was quickly sent down the river. Some Greeks smuggled into Berber by caravan from Suakin a large supply of a concoction called Scotch whiskey, but which it was said had been manufactured in Alexandria from pine and potato spirit, and which, when swallowed, would burn holes in the membrane of the throat.

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Hundreds of cases were seized by order of the Commander-in-Chief, the bottles broken, and the vile liquor emptied on the thirsty sand. The prohibition caused very little grumbling; for even the men who were not voluntary total abstainers soon perceived that the destruction of the liquor was for their benefit. In the early stages of the campaign, what with constant drills and route marches, Gen. Gatacre brought his British Brigade into a condition "as fit as a fiddle." Father Brindle, and Revs. Messrs. Simms and Watson, the army chaplains, told me that they did not recognize some of their "lambs" after a few weeks, so remarkable was their improved health from enforced abstinence and constant work. Of one thing I am sure; viz., that the mortality from fever and other diseases during the Atbara campaign, the midsummer camp at Darmali, and the final Omdurman campaign, would have been infinitely greater than it was, if alcoholic liquors had been allowed as a beverage, or even as an occasional ration.

IV. *General Hardships.*—Enough has already been said as to the hardships of soldiering being a provocative of subsequent break-down. The constitutions of different men differ widely. With every precaution in their selection, their power of resistance to disease will vary. Some apparently strong men succumb under the slightest privation: others, seemingly less hardy, will, from an inherent wiriness of physique and a bright, cheery temperament, survive the greatest hardships under which the most robust will fall.

Homesickness, too, raises the death-rate more often than is imagined. The fatally depressing nature of homesickness is discovered among semi-savages as well as among the most civilized of men. I have seen it attack, in the most inexplicable way, Kanakas on the sugar-plantations of Queensland. They sicken for their coral islands in the Western Pacific; and, when told that they cannot return to their homes until the expiration of their engagement of thirty-six moons, they will sadly exclaim "Me die to-morrow—or next week." And it has been said that they do die at the time they fix, without any sign of organic or other disease which autopsy can reveal. Wrote an experienced army surgeon:

> "Tell a patient worn down by exhausting disease or tropical heat that he will be sent next week to a cool and healthy climate, and he will turn on his pillow with indifference; but tell him he is to go home, and the magic sound of the word 'home,' even if he has not a near relative in the world, will make him quiver with joy."

The promise of a speedy return to his native country is the best of all tonics, and frequently leads to an early and complete recovery.

W. Kinnaird Rose.

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THE TEXTILE INDUSTRY SINCE 1890.

THE Census year of 1890 saw the textile industry of the United States rapidly advancing in regard to both quality and economy of manufacture. The gross value of the products of this industry, including its allied branches, exceeded that of any other branch of manufacture. (The same relative importance exists, no doubt, to-day.) The South was looming up as a great manufacturing section in the production of cotton yarns and fabrics, in competition with those made in the Northern States. She had trebled the spinning capacity of her mills within the decade then ended, and was giving employment to one-sixth of the number of operatives engaged in the cotton-factories of the country. She had established her position as a district possessing all the essential elements of success for the manufacture of cotton. In no other respect had there been any change in the geographical distribution of the textile industry. The manufacture of wool and silk remained where it had for decades been chiefly confined; viz., in the New England and Middle States.

When the Census of 1890 was taken, the cotton-mills of the country were running above 90 per cent of their full capacity, with their production considerably ahead of any previous year. The woollen-mills, on the contrary, especially those engaged in the manufacture of carpets, were operating only 85 per cent of their capacity, and contributed largely to the failures of that year.

The linen industry was considered of too small importance at the taking of the Census of 1890 for any well-defined enumeration. Its true status at that time cannot, in consequence, be satisfactorily ascertained. All that can be learned is that 517 persons were employed in the dressing of flax, valued at nearly $1,000,000, and 583 persons in the manufacture of linen goods, valued at about $550,000; while everything pertaining to the production of thread was relegated to the category of "all other industries."

Even at the present time little can be said concerning this industry, or its recently tentative and probably ephemeral relation to the cotton-manufacturing industry. Although there are in the trade directories forty-four establishments classified as engaged in the manufacture of

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flax, there are, strictly speaking, only twenty-four thus employed; and of these only five can be considered of much importance. No fine linens are made in this country, though the Customs tariff of 1897 was so framed as to encourage any disposition in that direction, by placing a relatively low duty on fine-spun yarns suitable for weaving. This favorable concession to the importation of such yarns met with no opposition from American flax-spinners, because it was patent that no domestic demand could be created till the manufacture of fine linens had been established. This latter the tariff still further aided by the imposition of high rates of duty upon the foreign article. For the present, the flax-spinners of this country are satisfied with protective rates of duty on yarns coarser than No. 80, as provided in the law, and even on those coarser than No. 30, leaving comparatively low rates on yarns that are finer.

The tariff of 1897 has not yet had any visible effect upon the linen industry of the United States. The experimental or makeshift attempts to amalgamate the manufacture of cotton and linen for certain lines of fabrics, which a few cotton-mills have lately made to relieve the depression in their regular production, have not yet developed into anything that promises permanency. Linen comes into more direct competition with cotton fabrics than with any other class of textiles; and, with cotton at its present low range of prices, there is little or no encouragement offered for the profitable manufacture of flax into any class of goods except the coarsest or a few specialties. The Census of 1900 will probably find the linen industry but little advanced beyond its condition in 1890.

Aside from what little is done in a few cotton-mills in the manufacture of goods with cotton warp and linen weft, the linen manufactures of this country are limited to crash towelling, thread, yarn, twine, fishing-lines, and the like. Much of the domestic growth of flax is turned into tow for upholstery, cordage, and other purposes. Laces, edgings, handkerchiefs, and all fine fabrics, have to be obtained from abroad, to the extent of $15,000,000 to $20,000,000 annually.

There has been no material change in the character of American manufactures of wool for the past nine years, beyond that due to the tendency toward those made of worsted, which has been growing in popular favor. Styles and designs have varied to meet the vicissitudes of fashion; but the general character of the product remains the same. Improvements have been effected in manipulation; and the productive capacity of machinery has been increased. But the most marked advance has been in the art of dyeing, which, however, has affected all textiles.

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The growth of the worsted industry, at home and abroad, is revealed in the "Waste" clauses of the tariff; the Act of 1890 first taking cognizance of it, by placing special rates of duty on the waste products of worsted manufacture, which had by that time become of commercial importance. That Act, also, for the first time, coördinated woollen and worsted manufactures as subject to no distinction as to rates of duty, though a sort of preliminary or anticipatory Act of similar purport had been passed by Congress a few months previously.

The changed status of the woollen manufacture—which has remained the same to the present day—received Congressional recognition at that time. In 1890, American dress goods were rapidly gaining in reputation, style, and variety, and gave great promise (which has been very largely fulfilled) of successful competition with the best of foreign makes. For their manufacture and improvement special machinery, appliances, and methods have been introduced; and the workpeople have become more skilled in their manipulation.

In some respects the dress goods manufactures of our mills have been thoroughly revolutionized in construction, colors, and finish. Their designs are more original with the mills producing them; and foreign ideas are less depended upon for a conception of the proper forms of fabrication. This is characteristic of all lines of textile manufacture. An idea may be had of the growth of the dress goods manufacture in the United States from the statistics in the national Census of 1890, giving the value of this product in Massachusetts as $14,028,820; while, according to that State's census, in 1895 it amounted to $16,872,121. Values in 1895 were at least 25 per cent lower than in 1890, which, applied to the foregoing, would show an increase of 60 per cent in the production of this class of goods made in that State. The significance of this can be still further realized from the fact that, according to the Census of 1890, nearly 44 per cent of this class of goods made in the United States was the product of Massachusetts mills.

All statistics relating to the woollen as well as to all textile manufactures at the present time are mostly estimates and the results of private enterprise and inquiry. The unit of calculation for the productive capacity of a woollen-mill is the set of carding-machines,—a set consisting of a series of machines necessary to prepare the wool suitably for spinning. The corresponding unit for a worsted-mill is the combing-machine, which, in its productive capacity, is taken to be equivalent to three sets of cards for the same fineness and quality of work. The distribution of woollen machinery is shown in the accompanying table:—

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DISTRIBUTION OF WOOLLEN MACHINERY IN THE UNITED STATES.

STATES.	1890.		1894.		1898.	
	Sets of Cards.	Combs.	Sets of Cards.	Combs.	Sets of Cards.	Combs.
New England	4,091	528	4,027	600	4,130	726
Middle	2,982	308	3,070	519	3,150	573
Southern	400	....	248	2	280	2
Western, east of the Mississippi	473	19	557	27	566	28
Western, west of the Mississippi	161	....	143	....	167	....
Pacific	91	....	66	....	70	1
Totals	8,198	855	8,111	1,148	8,363	1,330
Equivalent to sets of cards	10,763		11,555		12,353	

The significance of combing machinery is that worsted goods are made, and finer yarns spun. A little more than nine-tenths of the woollen- and worsted-producing machinery is in the New England and Middle States. Outside of this section no material progress has been made since 1890. On the contrary, there has been practically either stagnation or a decline. In this respect the worsted industry has shown a much more decided gain since the last Census year than the woollen industry; the increase being 56 per cent for the former, as compared with only 22 per cent for the latter. This gain in favor of worsted is likely to continue, which means an increased tendency toward perfection of manufacture. This statement, however, may require some modification, should the same practices be pursued as were adopted by a number of mills last year—greatly to the discredit of American manufactures—of introducing cotton threads, to the extent of 90 per cent of the weight of the fabric, with worsted threads, and of placing the goods upon the market in a manner calculated to deceive the public as to their true character. A purely all-wool worsted thread, however, represents the acme of a perfect production in wool manufacture.

The Census of 1890 does not give the value of home-made and foreign-made woollen and worsted machinery, but simply states that there were at that time 674 foreign and 181 American combing-machines operated in the manufacture of worsted. This meant practically that at least 79 per cent—and probably very much more—of the machinery employed in worsted manufacture, other than that employed in weaving and finishing and in the early processes of cleaning the wool, was of foreign make.

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There are no means of ascertaining the situation in this particular, as it exists to-day, for the whole country. The State Census returns of Massachusetts for 1885 and 1895, however, furnish for comparison interesting material that will give some idea of the relative positions of these two branches of the wool-manufacturing industry at those periods in that Commonwealth, especially the extent to which dependence is had upon foreign-made machinery of all kinds, not only for combing, but for all purposes. The import of these statistics to the industry at large lies in the fact that about one-fourth of the invested capital and more than one-fifth of the value of the product of the woollen-mills of the United States are represented by those of Massachusetts.

The value of machinery employed in the manufacture of woollens in Massachusetts in 1885 and 1895 is shown in the following table:

VALUE OF MACHINERY EMPLOYED IN WOOL MANUFACTURE IN MASSACHUSETTS.

Year.	Description.	Home-made.	Foreign-made.	Totals.	Grand Totals.
1885.....	Woollen	$5,938,420	$181,357	$6,119,777	
	Worsted	2,052,683	482,575	2,535,258	$8,655,035
1895.....	Woollen	$6,982,502	$119,810	$7,102,312	
	Worsted	2,792,706	2,641,515	5,434,221	$12,536,533

Comparatively very little foreign-made machinery is operated in woollen-mills. American textile machine-shops are now turning their attention more to the making of special machinery for worsted. American combs have been made, to a limited extent, for a number of years; and, as already noted, 181 were enumerated in the Census of 1890. But until within the last year or two all other worsted machinery proper has not been successfully made in this country; and even the efforts in this direction have been in the line of closely imitating, for prudential business reasons, the popular makes of English shops. With the greatly increased demand for worsted machinery since 1890, there is arising a sufficient incentive for American shops to incur the heavy expense of special equipments for its construction.

The gross value of the wool manufactures of the United States at the present time must necessarily be a matter of estimate; and this estimate I put at $343,730,812. The basis of the estimate is as follows: I have accepted the computation of the Census of 1890, viz., that of holding a worsted combing-machine as the equivalent of three sets of

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woollen cards in productive capacity; then the productive machinery of woollen- and worsted-mills has been calculated on the basis of sets of cards, with their capacity increased since that date one-sixth, because of mechanical improvements; and the market value of their finished product is estimated to have decreased 24 per cent.

Referring to preceding statistics, the productive machinery of the wool-manufacturing industry in 1890 was equivalent to 10,763 sets of cards, and, in 1898, to 12,353 sets of cards, or, with the one-sixth increase in capacity added, 14,412 sets. The gross value of wool manufactures in 1890 was $337,768,524, or $31,382 per set. This value, extended to the 14,412 sets in 1898, would bring the gross value to $452,277,384, or, with the 24 per cent depreciation in market value deducted, $343,730,812. This would show that the present value of our wool manufactures is but a trifle more than in 1890.

In the following table are given statistics showing the consumption of wool for all purposes in the United States, from the Census year 1890. The percentages showing the running-time of the mills indicate how well they were kept in operation during the several years under consideration. Mills operating on the average 90 to 95 per cent of their full capacity show a state of general prosperity. The periods 1893–94, 1895–96, and 1896–97 were unprosperous ones.

CONSUMPTION OF WOOL IN THE UNITED STATES FROM THE YEAR 1890 TO 1898, IN POUNDS.

Year.	Foreign Wool Entered for Consumption.	Domestic Production.	Total Consumption.	Per Cent of Capacity of Mills Operated.
1889–90	$109,902,105	$295,779,479	$405,681,584	85
1890–91	119,390,280	309,474,856	428,865,136	85
1891–92	134,622,366	307,101,507	441,723,873	88
1892–93	149,636,041	333,018,405	482,654,446	85
1893–94	45,726,055	348,538,138	394,264,193	75
1894–95	265,726,347	325,210,712	590,937,059	80
1895–96	228,647,542	294,296,726	512,944,268	78
1896–97	349,250,027	272,474,708	621,724,735	75
1897–98	72,355,944	259,153,251	331,509,195	85

The figures showing consumption for any particular year should be taken with due relation to those of proximate years; otherwise the apparently extraordinary consumption in 1896–97 of mills running at only three-fourths of their capacity would seem absurd. This apparently large consumption was owing to the unusual importations and

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takings of mills in anticipation of the imposition of duties on wool imports in the Tariff Act of 1897. The figures for 1896–97 should be read together with those for 1897–98.

The increased amount of wool consumed in our manufactures is observed in the consumption for 1889–90 (405,681,584 lbs.) and in the average yearly consumption for the four years ending in 1898 (514,278,814 lbs.). This increase corresponds proportionately with the increase in the productive capacity of the industry, proper allowance being made for the bad state of manufacturing during the latter period. I have given the average for the foregoing four-year period so as to eliminate abnormal conditions affecting importations, which did not exist in 1889–90.

The eminent position held by American cotton manufactures in the textile industries of the world was well developed in 1890; and by that time fine spinning had entered considerably into the making of lawns and muslins. But all of the fine yarns for such fabrics were spun in the mills of Massachusetts, Connecticut, and Rhode Island. Diversification of manufacture also had set in—was in fact well under way—for such goods as lenoes, gauzes, and specialties. The South was improving its output by raising the standard of its product 15 per cent above what it was in 1880. It is now 20 per cent above what it was in 1890. For woven fabrics we have little need to seek foreign markets to satisfy our most fastidious wants; and only for such goods as laces and embroideries and for some lines of hosiery do we find advantages—often in the matter of price—in foreign manufactures.

There were a number of cotton-combing-machines in operation in 1890; but no account was taken of them in the Census of that year, though their enumeration would have given a fair idea of the extent of fine cotton-spinning in the country at that time. Fine spinning, however, may be measured by the consumption of sea island and foreign cotton, mostly Egyptian, practically all of which is combed preparatory to spinning. The Census of 1890 gives the quantity of such cotton consumed in the United States at that time as 14,452,866 lbs., which approximates the Government statistics of cotton imports, and the trade estimates of the takings of spinners of sea island cotton (15,816,305 lbs.). By 1896 this consumption of cotton for fine spinning amounted to 69,798,044 lbs. annually, though for the year 1897–98 it dropped to 65,475,279 lbs., owing to the great depression in the industry. I think it may be safely stated that fine cotton-spinning in this country has increased nearly fivefold since 1890. Fine spinning follows the

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combing-machine; and the number of such machines, enumerated according to States, as obtained from a most reliable source of information, is as follows: Massachusetts, 2,300; New Jersey, 400; Rhode Island, 348; Connecticut, 360; New York, 75; New Hampshire, 40; Pennsylvania, 25; and Vermont, 20; or a total of 3,568. The average production of a comb, as run in American mills, is about 55 to 60 lbs. per day, full time, which will be recognized as a good performance, though characteristic of American methods of getting out of a machine all that it is capable of doing well—and, oftentimes, a little more, at the expense of quality of work. There is a large field open to our manufacturers for supplying a domestic demand for fine cotton fabrics. This demand is increasing with the decline in the price of the commodity. There is no good reason why our mills—those of New England in particular—should not satisfy this want, amply protected as they are by Customs rates of duty against foreign competition. In 1890—a fair average year—the imports of such goods amounted to 27,759,641 square yards, or .43 square yard *per capita* of population; while in 1898 the imports amounted to 44,779,399 square yards, or .61 square yard *per capita* of population. Nearly 3 per cent of the value of cotton goods consumed in this country is of foreign make, which should and might be made in our mills. This does not include hosiery, laces, thread, yarns, etc., which are imported. This may not seem to be a large *per capita* consumption of foreign goods; but it should be understood as that of fine goods—such as retail at an average of 20 cents a square yard—and not of coarse or even ordinary grade goods.

The relative position of the United States to the cotton-spinning world, in respect to the number of spindles, is about the same as in 1890. In that year this country had 17½ per cent of all the spindles of the world; and the same proportion exists to-day. But the relative consumption of our mills has increased from 22.8 per cent to 25.2 per cent of the world's consumption. While the number of cotton spindles in the United States has increased nearly 21 per cent within the past eight years, a corresponding increase has taken place elsewhere.

But more important changes and developments than those relating to any increase in the number of spindles have occurred within this period to affect our domestic manufactures. Conspicuous among these is the firm establishment of cotton-manufacturing in the so-called Piedmont district of the Southern States, where it has increased its productive capacity from less than 12 per cent to nearly 21 per cent of that of the whole country, and this under conditions which have fully demon-

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strated the fitness of that section for the economical production of the highest grade of goods.

The change of greatest consequence in the economy of cotton manufacture that has taken place since 1890 is the introduction of the Northrup loom, which effects a saving of fully one-half in the labor cost of weaving. This loom is one of the great inventions of the century, and marks an era in the progress of textile manufacturing. The machine is a remarkable piece of mechanism, but its possibilities give promise of greater wonders. Mechanical improvements follow one another so rapidly that one is almost in doubt as to whether they are really beneficial to the industry for which they are intended. Their cheapening of processes antiquates machinery and methods almost before the latter have proved their utility.

One advance that is likely to become of great value to the cotton industry almost immediately is the utilization of the discovery—patented in 1850 by John Mercer, an English chemist—of the peculiar action of caustic soda or caustic potash upon the cellulous structure of the cotton fibre, changing its physical and chemical nature. This discovery remained dormant till within a year or two ago, because of the very serious objection to its economical use; viz., that of the shrinking of the goods or yarn. Mechanical devices have now been invented by which this shrinking is permanently overcome, and, at the same time, an enduring lustre like that of silk is imparted to the fabric or yarn. "Mercerized" goods, or those made from mercerized yarn, are known in the trade as silkoline, etc. Fabrics beautiful in color, lustre, and finish, and of greater strength and durability than those made from ordinary cotton, are now being made from yarn thus prepared. Mercerized cotton takes a deeper and more brilliant shade of color from the same dyes than unmercerized cotton. So little was known of this method of preparing cotton, or so rudimentary was it in the art of manufacturing, at the time the Tariff Act of 1897 was under consideration, that absolutely no suggestion was offered by any one concerning the goods made according to it for any special rate of duty, which otherwise would surely have been imposed, on account of their greatly enhanced value. Therefore, when an importation of mercerized goods was made at the port of New York in the early part of last year, its proper status under the law at once became a serious question to the Collector of Customs; resulting in a carefully prepared and ingenious decision of the Board of General Appraisers, consistent with the cardinal idea that the tariff was enacted as a protective measure for the American manufac-

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turer, and that classification and rates of duty should be in harmony therewith, wherever the rendering of the law could be made so to appear.

The gross value of cotton manufactures in the United States in 1890 was $267,981,724, or at the rate of $18.88 per spindle. The number of spindles was given by the Census of that year as 14,188,103. The present value of these products, according to our best estimate, is $255,429,858, or less than in 1890, notwithstanding the fact that there has been an increase, not only of 24 per cent in the number, but of 10 per cent in the productive capacity, of the spindles.

The loss, or decrease in value, is entirely due to the great depreciation in the market price of the goods made, which I place at 30 per cent. My method of calculation is as follows: Value of product, 1890, $267,981,724, divided by number of spindles (14,188,103), shows a value of $18.88 per spindle. Accepting 17,570,290 as the number of spindles for 1898, and adding 10 per cent for the increased productive capacity per spindle, because of greater speed, would make their spinning capacity equivalent to 19,327,319 spindles, on the 1890 standard. This number, multiplied by $18.88, would give a product value of $364,899,783, provided prices were the same now as in 1890, which is not the case, they being 30 per cent less. For this reason, the value is brought down to $255,429,858. With all due allowance for finer spinning, and more costly goods made by many of our mills, I should regard a gross product value of $300,000,000 as an extreme estimate. Although much finer yarns are made now than in 1890, I doubt if the average is much, if any, finer than in that year, considering that most of the increase in mill construction has been in the South, where coarse yarns are spun.

I have alluded to the proportional value of foreign and domestic machinery in woollen- and worsted-mills, as given by the decennial censuses of Massachusetts for 1885 and 1895. The value of cotton machinery in the mills of that State in 1885 was $37,849,394, of which 8.3 per cent was of foreign make. In 1895 the value was $54,659,232, of which 16.2 per cent was foreign. There has probably been no material change since the last-mentioned date.

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LESSONS OF THE PARIS TRIBUNAL OF ARBITRATION.

THE second administration of President Cleveland was especially characterized by the effort to promote certain governmental reforms regarded by the President and his advisers as vitally important to the welfare of the United States. Most notable among these was the proposed Treaty of Arbitration with Great Britain. It was hoped that, by its peaceful operation, all bitterness of feeling between the two great Anglo-Saxon nations was to be avoided in the future. All disputed questions were to be removed from the category of war and diplomacy, from the arbitrament of force and intrigue, to be settled on a basis of simple justice and international law.

In spite of the most strenuous efforts of the President and the earnest advocacy of the Secretary of State, the proposed treaty failed to receive the approval of the Senate of the United States. That arbitration should rightfully supersede war is doubtless the almost universal opinion of intelligent citizens of both nations; but that the treaty in question would have this result many of them were led to doubt. Among the arguments urged against the treaty was the fact of the failure of the Paris Tribunal of Arbitration of 1893 to secure justice or equity. Its decision, inconsistent with itself, not only failed to settle the Fur Seal dispute, but caused it to assume an acute phase for which it furnished no remedy. This condition of things passed by without serious friction solely because more important matters cast it into the shade. The international good feeling now existing has no relation to the principle of arbitration; and the question at issue in 1893 is still unsettled.

The details of arbitration are most vital,—more important than the principle itself. The principle may be taken for granted; but most advocates of arbitration seem to forget this. They have virtually assumed that the principle, once accepted, would work itself out into justice. But even here justice may be at the mercy of diplomacy.

It is evident that, if a tribunal of arbitration can be deceived or confused as to plain vital facts, its decision does not settle the question in dispute. If the question is not settled, some higher tribunal is necessary. This can only be the force of arms or the force of public opin-

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ion; and neither of these has been found infallible in the establishment of justice. If one nation or the other is wronged or betrayed in arbitration, the danger of war is not avoided by its operation.

In complex relations, compulsory compromise—the mere abatement of extreme claims of both sides—is inadequate and ineffective. If arbitration is to take the place of war, it must be operative even in cases where one nation is wholly in the right or wholly in the wrong in some or all of its contentions. If its final verdict is to be sound, it must be based on accuracy of fact, not on a rough average of contending claims. It may happen that, with conflicting equities and confusing testimony, the tribunal will be tempted to cut the knot by arbitrary compromise. If the sole question is one of damages, more or less, this solution is easy, for obvious reasons. But no tribunal can change a law of nature or alter a matter of fact. Under ordinary conditions, compromise marks the line of least resistance in arbitration. There is, therefore, in any such tribunal a strong tendency to "split the difference." The moral force of a great nation on either side of any contention cannot fail to influence a court; and this influence, felt on opposing sides, predisposes to compromise. But a compromise which does violence to facts cannot be acceptable, nor can it endure.

The Paris Tribunal of Arbitration is only one of many in which Great Britain and the United States have been concerned. But it was more important than any of the others, because it had to consider not merely conflicting claims for money damages, but facts and laws of science and their bearing on new principles of international law. Its business was to ascertain facts and to make these the basis of new precedents in action. The question of damages was merely incidental to the main problem.

In the interest of arbitration in the future, we may examine in some detail the operations of the Paris Tribunal of 1893, in order that we may discover the reasons of its failure, and perchance make use of the lessons it teaches.

The case at issue was a very simple one. The fur seal herds of the North Pacific breed on islands situated in Bering Sea and belonging to the United States and Russia. On these islands (Pribilof and Komandorski) for nearly a hundred years they have received all necessary protection from attacks on land. The existence of the herds, however, demands the further protection of the females when they are feeding or migrating in the open sea beyond the usual three-mile limit of territorial jurisdiction. The animals visit certain islands in the summer.

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They breed on them, and make them their home. The young remain there until driven away by the storms of winter. The adults leave the islands in summer only to feed, going to a distance of one hundred to two hundred miles for that purpose. The winter is spent by the entire herd in the open sea, their migrations extending from one thousand to twenty-five hundred miles to the southward of their breeding resorts.

For many years, both under Russian and American control, the herds have, as I have said, received absolute protection on land, the killing for skins being restricted to the bands of superfluous males. As only one male in about thirty is able to maintain himself on a rookery or to rear a family, about twenty-nine out of every thirty are necessarily superfluous. The survival of one male in a hundred is sufficient for all actual needs of propagation. The young males on land are as easily handled and selected as sheep; and no diminution whatever to the increase of the herd has arisen from selective land killing. The number of females in the herd bearing young each year was, in the earlier days, about 650,000 on the American islands, and perhaps half as many on the Russian. The numbers of males and of young were together about twice as many more. This gave an annual total on the American (or Pribilof) islands of about 2,000,000 animals of all classes; while on the Russian (or Komandorski) islands there were about 1,000,000.

About 1884, different persons, known as pelagic sealers,—chiefly citizens of Canada, but some of them from the United States,—began to attack the herd in Bering Sea. Here no selective killing was possible. The females were always in the numerical majority, as the males had become less numerous on account of land killing and as they left the islands less frequently in the summer. Each female above two years, when taken in the sea, died with her unborn young. Most of the adult females so taken after July 1 had left their young on the islands; and these orphan pups invariably starved to death.

Beginning with this increase of pelagic sealing in 1884, the fur seal herds rapidly declined in numbers. In 1897 there were about 130,000 breeding seals on the American islands, or about 400,000 animals of all classes; while on the Russian islands there were less than 65,000 breeding animals, or less than 200,000 of all classes.

For this great reduction in numbers there is but one cause, a cause plain, self-evident, and undeniable; and that is the slaughter of breeding females at a rate largely in excess of the rate of increase. While other causes have been assigned, none of them is worthy of the slightest consideration in explaining the decline.

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Even in 1893 it was evident, to all capable of forming an opinion, that pelagic sealing was the sole known cause of the decline of the fur seal herds. It was also evident that as an industry it must be self-destructive, since, if permitted to exist on any scale which would make it profitable, it must destroy the herd on which it operated.

It was equally evident, on the other side, that there was no existing canon of international law by which it could be prohibited. International law is simply the sum of the tacit consents and formal agreements of nations one with another. There was no other valuable animal having habits similar to those of the fur seal. There could thus be no adequate precedent for its protection. To slaughter animals anywhere in the open sea as *ferœ naturæ* is assumed to be the right of any citizen of any nation, unless prevented by the statutes of such nation. A "right" in this sense has no sort of sacredness. It is simply a case in which the affair is nobody's business, and is, therefore, not forbidden. The progress of civilization and the growth of international law have been marked by the steady elimination of rights of this kind, that is, of rights which are inimical to life or to the property of others. *Salus populi suprema est lex.* The needs of the people override all statutes; and it is affirmed that the needs of the civilized world demand the preservation of the world's most valuable beast of the sea.

In the unquestionable absence of international law bearing on the question, it may be affirmed that it lay within the province of the Paris Tribunal to make new international law, if the interests of civilization were to be aided thereby. This, in fact, they did, through their regulation of pelagic sealing, though in such an ineffective way that their action was without value unless as a legal precedent.

The case was complicated in the beginning by additional claims of the American Government; namely, (*a*) the right to exercise exclusive jurisdiction over the herd wherever found, and (*b*) over the sea in which it roamed and fed, together with (*c*) the right to use force in support of such jurisdiction. This right to use force it had actually put into effect by the seizure of numerous British vessels which were found killing seals in Bering Sea. Stripped of verbiage, the vital claim of the United States was that the fur seal was of value to civilization; that, from the nature and the habits of the animals, selective killing of males on land only could be safely allowed; that such killing had long existed, forming an established valuable industry; that pelagic killing, necessarily non-selective, was sure to bring the extinction of the herd; and that such extinction was already far advanced. Hence, the interests of civilization

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demanded the abolition of pelagic killing, and the recognition that the ownership and protection of the breeding-grounds or homes must carry the ownership and protection of the animals themselves.

I assume that the right to protect the fur seal was the essential portion of the American contention, because all other parts of the contention would be useless without it. The latter were valuable chiefly for the purpose of strengthening the main case. Of little importance in themselves, they were pretentious in form, and of such a character as to awaken popular interest, which the real matter at issue might fail to excite. In brief, these further contentions were as follows:

(1) That Bering Sea was *mare clausum*, or a closed sea, being entirely surrounded by the territory of Russia and the United States, and, therefore, its waters were under the control of those Governments, just as the waters of a harbor would be. (2) That, in view of such control, the Government of the United States was justified in forbidding pelagic sealing in these waters, in warning vessels not to engage in it, and in seizing those which might disregard such warning. (3) That, inasmuch as the American fur seal herd made its home on the Pribilof Islands,—returning there each season to breed, and never landing anywhere else,—the herd, wherever found, belonged to the owners of those islands. The animal had, on leaving the islands, the *animus revertendi*, or purpose to return,—a purpose which, based on the instinct of reproduction, is the strongest impulse known in nature either to man or to beast.

The British authorities practically denied all these contentions and, in general, all the alleged facts on which they seemed to rest. After much diplomatic correspondence, extending over nearly two years, it was finally agreed to submit all of these claims, as well as the counter-claims of damages through the forcible interruption of pelagic sealing, to a high tribunal of arbitration, to meet in Paris in 1893. The Tribunal was composed of seven judges,—two from Great Britain, two from the United States, and one each from France, Italy, and Norway.

As to these contentions I may say:

1. The vital claim, to which the others were all subordinate, seems to me true and just beyond dispute. The protection and preservation of the fur seal appeal to the interests of civilization.

2. The claim to the control and ownership of Bering Sea rests partly on historical evidence and partly on legal precedent. It was put forth, as above stated, primarily as a device to justify interference with pelagic sealing. It was set aside by the Tribunal, apparently with justice.

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3. The seizure of the British ships could be justified only as an act of war. That it was not construed as such we may thank the patronizing patience with which the British Government meets American aggressions. If we were willing to fight in defence of our action, the act might have been justified by the results of war. To submit it to arbitration was to confess judgment at the start, leaving us no alternative but to pay the bill.

4. The claim of the actual ownership of the herd is one of natural justice, not of prescribed law. It could become an enforceable claim only through international agreement or through the action of a tribunal of arbitration. Neither could be made retroactive; hence, we could have no legal claim against Great Britain for damages through the destruction of the fur seal herd.

It is evident that in a case of arbitration the final verdict must vindicate itself; otherwise, the sole value of this method of settling disputes is lost. It is, therefore, vitally important that the arbitration tribunal should correctly understand the facts at issue. Without a clear comprehension of all the relevant facts, a just decision is impossible. In proportion as error exists in the fundamental propositions, so must the final result be vitiated. In international affairs the judges should be men of exceptional integrity and of exceptional intelligence, capable of weighing and valuing the most varied forms of evidence. Perjury, pettifogging, and concealment would be insults to such a court; and every device which experience has shown necessary to the extraction of truth from testimony should be in the hands of the tribunal. All this would seem self-evident; but in the organization of the Paris Tribunal it seems not to have received due consideration.

In considering the proceedings of this court, the following facts are apparent: It was arranged that all testimony should be presented in printed form. It was arranged that testimony as to matters of fact should be given in *ex parte* affidavits. It was arranged that no witness should be present in person. It was, therefore, impossible to cross-question any one of the hundreds of deponents, or to ascertain the range of his experience or his mental or moral fitness to give testimony. Neither the members of the American nor those of the British commission of investigation, who had visited the fur seal islands in person, and who were supposed to have full knowledge of the vital facts of seal life, were brought before the Tribunal. The American Commissioners, who should have been the very centre of the American case, were not even called to Paris.

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The omission of all safeguards against perjury seems to indicate (1) that each party had perfect confidence in the self-evident justice of its case, or (2) that each party had perfect confidence that the other would not try to manufacture evidence or to suborn perjury, or (3) that each party intended to take advantage of the other to confuse the court by the submission of evidence that would not bear cross-questioning, or (4) that each party, from ignorance of natural history, failed to recognize the vital importance of exact knowledge of the habits of the animal in question.

It may be observed, in passing, that diplomacy may be as effective in the organization of a tribunal of arbitration as in any other sphere of action—and as successful in defeating justice.

In the organization of the Paris Tribunal the choice of two representatives from each of the contending nations implied that each was to have two advocates on the bench. This arrangement indicates a confusion of the joint commission with the tribunal of law. In general, the international committee of experts can settle questions under dispute more readily and more justly than a court of law. In fact, it is probable that arbitration should be accepted only in the event of failure of joint commissions. But the two forms of settlement should be kept distinct. A commission is not a court; nor is a court a commission. The unquestioned eminence of the honorable jurists balanced against each other at Paris could have no real weight in determining the issue. The remaining three judges were the real arbiters; and this arrangement destroyed from the first the character of the court as an impartial tribunal by dividing it against itself. As to the other judges, it may be said that their choice from nations not in sympathy with the supposed imperialistic tendencies of the United States—shown by its claim of exclusive jurisdiction over a vast sea—may have left the burden of prejudice against the American case. This is merely an inference; and it may be without foundation.

A more serious difficulty arose from the fact that the knowledge of the English language possessed by two of the three judges, or the majority of the sole final arbiters, was none too perfect. None of the seven judges had any knowledge whatever of natural history; hence the volume of testimony tended to confuse rather than to enlighten them. Probably neither they nor many others since have ever read through, with a view to seriously weighing its value, the vast mass of guesswork and casual opinion offered as testimony. That this is true would appear from the fact that, during the session of the Tribunal, various unofficial brief sum-

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maries of evidence were printed for the use of the court. These were elementary statements of the claims of one side or the other, almost puerile in their simplicity; and the need for them shows clearly that the more elaborate testimony was not understood. Furthermore, there is every reason to believe that the work of the Tribunal was done in undue haste. After the novelty of the situation was over, several persons concerned were anxious to make an early escape from the August heat of Paris to some cooler retreat or to more congenial duties.

The testimony offered before the Tribunal may here be briefly analyzed. On the side of the United States there was:

(1) The report of the American Commissioners. One of these gentlemen is a noted physicist; the other, a naturalist of high distinction. The two visited the Pribilof Islands in person, spending some ten days in examining the breeding-rookeries. They consulted fully with different persons who had enjoyed large opportunities of observing the herd year by year; and the work of compilation in the final report was prosecuted with the exact methods of a trained naturalist.

The work of the American Commission can hardly be called a scientific investigation, inasmuch as its stay on the islands was too short for the critical examination of any phase of fur seal life. On the other hand, the report was emphatically a work of science. Its author showed a masterly knowledge of the value of evidence. All accessible sources of information were examined. Not a fact vital to the real question at issue was overlooked, concealed, or misstated. The elaborate later investigations of 1896 and 1897, under the direction of the present writer, have only confirmed the conclusions of the earlier commission. Additional facts of many kinds have since come to light, and more exact statistics as to numbers have been attained; but none of these affects the main contention of the American Commission that pelagic sealing, and that alone, was destroying the fur seal herd.

(2) In addition to this, the case of the United States was supported by a long array of affidavits. These may be divided into three classes:

(*a*) The statements of trained observers who had visited the islands, for one reason or another, and made scientific observations of the animals.

(*b*) The statements of Government officials in Alaska, especially those of agents in charge of the Pribilof Islands. Some of their testimony was of high value; but most of it consisted of the guesses and impressions of careless minds, more or less biassed by a desire to help on the American contention.

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(*c*) The affidavits of the seal-hunters of San Francisco and elsewhere. Most of these statements were in the form of responses to a set of prepared questions, made by men ignorant of all matters outside of their trade of shooting and skinning seals. Of the appearance in the sea of the seal marked for slaughter they were able to speak with some precision; but on the larger questions of the habits of the animal, their *opinions, however honestly given, and however favorable to the American contention*, were of little value. To this there were naturally occasional exceptions. One of the whaling captains, for example, was a naturalist of exceptional ability and the author of a valuable work on sea mammals.

(*d*) Testimony of London furriers, experts in questions of fur and skins, but only remotely acquainted with the animals from which they are taken.

Besides these sources of evidence on the main question of the decline of the herd, and its cause, a large amount of evidence for the subsidiary contentions was put forward. This consisted of documents, maps, etc., giving historical testimony concerning Russian claims to the ownership of Bering Sea, and historical precedents as to claims of jurisdiction over marine animals beyond the three-mile limit.

In favor of the British contention appear:

1. The report of the British Commissioners, the one a geologist of *repute, the other known as a sportsman and a Member of Parliament.* These gentlemen had spent a summer in Bering Sea, about two weeks of it on the Pribilof Islands. Neither of them was a naturalist; and neither made any pretence of scientific investigation. Their report was of the nature of a lawyer's brief or special plea for pelagic sealing. It had no scientific value or validity whatever; and its effectiveness lay chiefly in its bold denial of many of the well-established facts in the natural history of the fur seal. While the report of the Commissioners is in the main mere special pleading, it rests on some really good work on the part of one of their assistants who had spent considerable time watching the operations of the fur seal herd.

2. The testimony of the pelagic sealers secured in Victoria. Analyses of the many published affidavits show them to be virtually the work of one man. Series of leading questions were asked. These were answered by the sealers, doubtless honestly enough, but all in such a way as to favor the British contention. These men had never visited the Pribilof Islands, nor seen the animal in question in its haunts. Most of them were no more qualified to testify as to the nature and habits of

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the fur seal than were so many butchers' apprentices to bear witness as to the origin of breeds of cattle. Of matters within their own observation they were more competent to speak; but here it is evident that their opinions were clouded by their supposed interests. This relation of opinion to interest is well understood by lawyers, and is the basis of Lord Bowen's epigram, "Truth will out, even in an affidavit."

By these affidavits it was sought to prove:

a. That the number of seals shot and not recovered at sea was about 3 per cent.

b. That the number of females in the pelagic catch does not usually exceed that of the males.

c. That a large percentage of those are barren.

d. That the Russian and American herds freely intermingle and are not distinguishable.

e. That not all fur seals visit the breeding-islands in summer.

f. That the fur seals were steadily increasing in numbers under pelagic sealing.

g. That the animals mate in the sea as well as on land.

h. That they were not confined to the known breeding-islands, but had rookeries on islands as yet unknown.

i. That they resorted from time to time to new breeding-places.

j. That the sexes cannot be distinguished by the appearance of the skins.

k. That the sexes travel together at sea.

l. That it was an easy thing to raid the Pribilof Islands.

To these statements, all of them partly false, and most of them wholly so,—all of them, moreover, partly matters of opinion on the part of the deponents,—we may add three other fictions useful in forwarding the British contention. The first of these was the assertion that orphaned seal pups feed on seaweeds, and are nourished by the milk of other mothers than their own. This was a pure invention, without fact or analogy to back it.

More important than this—and more damaging to the American case, because originally of American origin—were the other two fictions equally unsupported by any facts, but none the less effective in producing confusion in the minds of the judges. These were: (*a*) the statement that driving the males on land destroys the virility of those turned back from the killings,[1] and (*b*) the assertion that the number

[1] The seals above and below the "killable" age of three years are for the most part released. At three years the skin is at its best for the uses of the furrier.

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of males had been unduly reduced by land killing, leaving a supposed class of "barren females."

A final and perhaps decisive element of importance was a piece of testimony from Russia. While the Americans were contending for the exclusion of pelagic sealing from a radius of two hundred miles from the Islands, or throughout Bering Sea, Russia was induced to accept a closed zone of thirty miles radius around her fur seal islands. This agreement, of course, had no value as indicating the size of the closed zone necessary to give the animals protection. But it had value in influencing a court already bewildered as to the facts. Its dramatic introduction in the midst of a closing speech after the counsel of both sides had rested their cases, and when no opportunity of showing its worthlessness was left, was a piece of sharp practice which the dignity of a tribunal of international arbitration should have resented. The testimony was, to be sure, withdrawn on the protest of the opposing counsel; but, whether accepted or withdrawn, it produced the desired effect. In granting a closed zone of sixty miles radius, while Russia was satisfied with thirty, it was made to appear that Great Britain had generously offered twice as much as we had a right to ask, though to naturalists the evidence was plain that a closed zone of a thousand miles would not adequately protect the herd.

In many regards, the British case would have been a strong one, had it rested on the plain, actual facts. But this the British authorities have never been content to do. Even to this day the British press and the British public have no correct ideas as to the influence of pelagic killing on the fur seal herd. The report of the Commission of 1896 and 1897, however full and accurate, failed to give this information. The public can understand general statements only; and these were diplomatically withheld. The complete vindication which these reports give to the contention of the American Commission has been so obscured by details and verbiage that not one reader in a thousand would suspect it.

On the British side there was also produced a collection of historical documents relating to Bering Sea, with counter-evidence that the precedents claimed by the Americans were not full precedents at all. The pertinence of all of this we may freely admit, as the decision of the Paris Tribunal settled once for all the questions of international law, though it could not change the laws of natural history. In the case at issue in 1893 the sole purpose of the British authorities was to win the verdict for the Canadian sealers.

The purpose of this paper is not to reargue the questions then at

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issue, still less to award blame or praise. I wish solely to call attention to the defective organization of the court as a means of ascertaining the truth regarding disputed questions of fact. As one of the American Commissioners has cleverly said, the verdict of the Tribunal at Paris would have been different had there been some one present "who knew how to laugh at the right place." If some one who knew the real facts of the case had been present, "to laugh at the right place," the eloquent pathos, by which the British counsel told of the horrors of the seal-drive, would have been laughed out of court. As no one on either side knew the facts at first hand, its absurdity was not apparent. Naturally, the eminent counsel on both sides devoted most of their attention to questions of law. But the fundamental question was one of fact; viz., Under what condition of protection can these herds live and propagate their kind? That the facts of fur seal life were not understood by the Tribunal, accounts for the self-contradictory regulations laid down in their final verdict.

The final decision was, in brief:

1. Denial that Bering Sea is *mare clausum*.

2. Denial that the fur seal herd, when on the open sea, is the property of the United States.

3. Denial of the right of seizure of sealing-vessels on the open sea, —this decision requiring that vessels already seized shall be paid for.

4. Provision for the protection and preservation of the fur seal in the interests of humanity. This was accomplished through a series of regulations, which may be briefly summarized as follows: viz.,

(*a*) No fur seals are to be taken within a closed zone of sixty miles radius from the Pribilof Islands.

(*b*) No fur seals are to be taken at sea from May 1 to July 31, inclusive.

(*c*) Only sailing-vessels, with undecked boats or canoes, can be used in sealing.

(*d*) Each sealing-vessel shall take out a special license and shall fly a distinguishing flag.

(*e*) Each master of vessels engaged in fur seal fishing shall record in his official log-book the place of capture, number, and sex of fur seals taken each day.

(*f*) The use of nets, firearms, and explosives in Bering Sea is forbidden.

(*g*) The two Governments must see that men engaged in fur seal hunting shall be fit to handle the weapons used.

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(*h*) These regulations shall not apply to Indians of either country using undecked boats of the usual sort outside of Bering Sea, and not under contract for delivery of skins to any particular person.

(*i*) These regulations for "the protection and preservation of the fur seal" shall remain in force until they have been, wholly or in part, abolished or modified by common agreement between the United States and Great Britain. The regulations may be submitted every five years to a new examination, and may be modified, if experience shows the need of change.

This award gave a great stimulus to pelagic sealing, by taking it out of the category of illicit adventure or piracy. On the contrary, it slightly prolonged the process of destruction, by preventing close approach to the rookeries and preventing slaughter in May, June, and July, on the American side. These months were used by the sealers in operations on the Russian herd, which, by the ingenious stroke already mentioned, had been deprived of the protection of a sixty-mile protected zone and a close season.

The final result has been, in the language of the Joint American-British Commission of Experts of 1897, that "in its present condition the herd yields an inconsiderable return either to the lessees of the islands or to the owners of the pelagic fleet."

In other words, five years of "protection and preservation" under the regulations of the Paris Tribunal have achieved the commercial destruction of the two most valuable and almost the sole remaining herds of the most important of marine mammals. The biological extermination cannot be far distant, if these regulations are continued; for it can hardly be supposed that the costly defence of the breeding-islands will be maintained by the United States, if no corresponding return be possible. No half-way measures are practicable. The fur seal herd must be protected and preserved, or swept from the sea.

It is stated on good authority that the failure of the Paris Tribunal of 1893 was the determining element in the rejection of the Treaty of Arbitration of 1896. It was not the sole cause of opposition, but the one which held, as it were, the balance of power. It was not that its verdict was against American claims. The people of the United States can take an adverse decision with equanimity, and in due time pay its cost. Our interest in the ownership of Bering Sea has fallen as rapidly as it rose. It was because the verdict as a whole was repugnant to common sense.

I trust that it will not seem unduly presumptuous for me to express

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an opinion that the verdict of the Paris Tribunal should legitimately have been as follows:

1. That Bering Sea is not *mare clausum:* its waters are not the exclusive property of Russia and the United States.

2. That the ownership of the fur seal herds, wherever found, by the nations holding their breeding-homes cannot be recognized in existing international law or derived from existing precedent.

3. That the United States should, therefore, pay the value of British vessels seized for killing fur seals in the open sea.

4. That the value of these vessels and their equipment should be ascertained by an acceptable jury of experts; the question as to the estimation of contingent or possible profits of future cruises to be determined by the Tribunal of Arbitration.

5. That the "protection and preservation of the fur seal" is a matter of importance to the interests of the civilized world.

6. That the question of the regulations necessary to this end be left to a jury of natural history experts, familiar with the habits of marine mammalia, and competent to sift evidence concerning them.

7. That, in case absolute or virtual prohibition be found necessary to this end, as claimed by the American Commission, such prohibition be ordered by the Tribunal; this order to have the force of international law over all nations consenting to the decision of the Tribunal.

8. In such case, Canada must yield the possession of certain recognized rights, inasmuch as prohibition of pelagic sealing, with protection on land and sea, is tantamount to ownership of the herd by the United States.

9. The legitimate money value of such rights to be ascertained by a proper jury or tribunal, the legal considerations governing this valuation to be determined and laid down by the high Tribunal itself.

10. That such decision should establish the precedent for an international game law, whereby all animals—feral or domesticated—crossing limits of territorial jurisdiction in food-seeking or in annual migrations should be protected in the same degree as if their movements were confined to the territory of a single nation.

Such precedents would govern the fisheries of the great lakes of America, the salmon-fisheries of the Rhine, the pearl-beds of Ceylon, as well as the fur seal and sea otter herds of Bering Sea. Such an international agreement for the protection of valuable animals would be a natural sequence to those agreements or canons which have striven to abolish the slave-trade, which have exterminated piracy and checked

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privateering, which have made foreign travel possible, and which are humanizing the terrible art of war.

Such an ultimate agreement is indeed foreshadowed in the regulations for "the protection and preservation of the fur seal" and in the provision for the revision of these regulations at the end of five years by the nations directly concerned. This precedent may prove valuable in future efforts at arbitration in the interests of humanity. If so, it is the sole worthy result of the Paris Tribunal of Arbitration, and its one contribution to international law.

A decision such as that above indicated would have been consistent with itself. It would have protected and preserved the fur seal herd, —*the only important matter at issue, from a financial standpoint.* It would have done full justice to the rights of both Canada and the United States, while it would have paved the way for the development of still broader principles. Such a decision would have given strength and dignity to the plan of arbitration.

This summary of a vast and complicated case is of necessity a very brief one, too brief to deal justly with all its varied phases. We may, however, deduce from it certain lessons as to the organization of similar tribunals in the future.

In cases of future international tribunals of arbitration: (1) There must be an agreement as to all facts in question, based on the most thorough investigations of competent experts in the subject involved, leaving to the tribunal solely the decision of the legal or international bearings of these facts, with their financial estimate, if necessary; or else (2) we must grant to such international tribunal every safeguard found necessary to the highest courts of law, including time to mature its deliberations and investigations, power to call for persons and papers wherever situated, power to cross-examine witnesses, to sift evidence, and to punish perjury or other attempt to deceive the court as to questions of fact.

If the principle of arbitration is to win the support of the two great Anglo-Saxon peoples, its operations in practice must be worthy of their respect. It must indeed establish the Supreme Court of Christendom. It must be composed of judges only, not of warring advocates; and these judges must be great in the science of jurisprudence, as the generals they replace have been great in the art of war. They must never be deceived as to fact or law; and their verdict must be the final word of an enlightened civilization on the subject in question.

DAVID STARR JORDAN.

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A CRITIC OF THE ACTED DRAMA: WILLIAM ARCHER.

"Of a truth," said Gil Blas, "if indeed there are bad authors, it must be confessed that there are still more bad critics." And the reverse of this is as true: if there are few good authors there are still fewer good critics. A single glance at any list of the hundred best books will show that the great critics are far fewer than the great poets or the great orators, the great dramatists or the great novelists. The reason is not far to seek: in criticism the gift of nature is not all-sufficient, as it so often is in poetry and in fiction. There are poets who have little besides their lyric gift; and there are novelists who have only their gift of story-telling. What the critic must have is the gift of insight: but he needs also an equipment not to be acquired without arduous labor; and he must add, furthermore, two precious possessions—sympathy and disinterestedness. These I believe to be the four qualifications without which preëminence as a critic is impossible,—insight and equipment, sympathy and disinterestedness. Macaulay was not disinterested, and Carlyle lacked sympathy; and these deficiencies are reasons why neither Macaulay nor Carlyle is to be numbered among the great critics. In so far as Matthew Arnold falls below the highest standard, this lapse is due chiefly to his somewhat inadequate equipment: he had read the best books only; and he had not a scholar's mastery of all the books good, bad, and worse in any single division of knowledge. Of course the prime requisite is the critical faculty itself; and this is no common having: but it is of little avail if its possessor has not also a memory well-stored, a mind unbiassed, and a heart open to new forms of truth.

Rare as the purely literary critic may be, the critic of the acted drama cannot but be rarer yet, since his task is far more difficult. The former needs to know the theory and the practice of but a single art, the art of the writer; while the latter has to be possessed of the principles not only of that art, but also of two others wholly different, the art of the playwright and the art of the actor. And his equipment is harder to attain also; for, while the literary critic can take down a book at will to consider it at leisure, the dramatic critic soon learns that the mere perusal of a play is only half his duty, and that he has not seized its full

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significance until he has seen it acted. He knows that no true drama reveals its entire meaning in the library, where indeed its presence is often more or less accidental, but only on the stage itself, to fit the exigencies of which it was designed and executed. Just as the critic of painting, in default of the work itself, may make shift with an engraving or a photograph,—well aware that the reproduction in black and white can give him only the form of the original and never its color,—so the critic of the acted drama cannot help feeling that the essential spirit of tragedy or comedy may well escape him, if he seeks to grasp it from its pen-and-ink symbols alone in lieu of that bodying forth by flesh-and-blood executants which the dramatist intended. Thus it is that the literary critic can command the mighty masterpieces of literature at the cost of a month's subscription to a library; while the critic of the acted drama has to take what he can find on the boards from time to time, making the best of his chances, perhaps even dying at last without having had the good fortune to see on the stage more than half of the mighty masterpieces of the drama.

So it happens that in few fields of literary endeavor has eminence been more strenuously struggled for or more seldom attained than in the field of dramatic criticism. As we call the roll of the centuries we discover the names of only two dramatic critics—Aristotle and Lessing—on the list of great writers bequeathed to us by those who have gone before. Among the citizens of Athens there was Aristotle alone to match with Æschylus, Sophocles, Euripides, and Aristophanes. Among the subjects of Elizabeth and James there was no single critic worthy of comparison with Marlowe or Jonson, with Fletcher or Massinger. In the capital of Louis XIV there was only Boileau to set beside Corneille and Molière and Racine,—and Boileau, whatever his rank, is a critic rather of literature than of the acted drama. In Germany, just before Goethe and Schiller, came Lessing, the one modern who can withstand without shrinking an association with Aristotle. The Greek and the German are the two critics of the acted drama whose supremacy is indisputable: there is no third name to be placed with theirs.

In the first half of the nineteenth century the Romanticist revolt changed the face of French literature, and made ready for the Realistic movement that followed in the second half of the century. Hugo and Dumas, Musset and George Sand, were followed in due season by Augier and Dumas *fils*, by Daudet and Maupassant, by M. Zola and M. Bourget. And the French have had three critics who hold their own beside these poets and dramatists and novelists—Sainte-Beuve and Taine and M.

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Brunetière. Although all three have shown an interest in the theatre and an understanding of the principles of the dramaturgic art, no one of them dedicated himself chiefly to dramatic criticism. The more notable French dramatic critics of the century have been the pedantic Geffroy, the picturesque Théophile Gautier (who lacked any real liking for the theatre and who had but a loose grasp of its theories), the trifling and flippant Jules Janin, the solidly established M. Francisque Sarcey, and the brilliant M. Jules Lemaître. Of these, M. Sarcey has been by far the most influential, as he has deserved to be by his sincerity, his immense experience, and his common-sense acuteness. Every student of the stage is his debtor for the skill with which he has analyzed the conditions of theatric success. Even M. Lemaître, individual as his opinions are, long sat at M. Sarcey's feet, and still accepts most of M. Sarcey's ideas. Of late, as M. Sarcey has advanced in years, he has naturally become a little less receptive and a little more unwilling to change his point of view.

In the literary history of England we find Lamb and Hazlitt inscribed as the dramatic critics of the early years of the nineteenth century. But it may be doubted whether either of them is really to be classed with Gautier or Janin,—still less with M. Sarcey or M. Lemaître. Exquisite as they are as essayists, and in spite of the fact that both of them now and again wrote about the actor's art with abundant sympathy and understanding, they seem to me rather critics of literature than critics of the acted drama. They discussed the works of the Elizabethans as though Ford and Webster and Marlowe were poets rather than playwrights. In their own day the unfortunate divorce between literature and the drama had already taken place; and, therefore, they were not put to the final test of the true dramatic critic—the judgment of an unknown play by its first performance. Nearly all the comedies in which Lamb delighted, as also nearly all the tragedies in which Hazlitt saw Kean act, were old friends, seen often before on the stage, and read often in the study; so that both Lamb and Hazlitt were supplied with the standards of comparison which the critic of new plays must perforce get along without as best he can.

Little as the English dramatists of the beginning of the nineteenth century demanded criticism, those of the middle of the century called for even less; and yet in George Henry Lewes England had a true dramatic critic. A philosopher of wide range and keen intelligence, with ample curiosity as to all questions of æsthetics, Lewes was also an amateur actor and a professional playwright. His little volume on the

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"Spanish Drama" survives to prove his firm grasp on the essential principles of the dramaturgic craft; and his collected essays "On Actors and the Art of Acting" may be cordially recommended to all who wish to gain an understanding of histrionic methods. Indeed, the three books which I should suggest to any one wishing to begin the study of the stage would be Colley Cibber's "Apology," Mr. Joseph Jefferson's "Autobiography," and this collection of Lewes's "On Actors"; for all three of them, each in its own way, set forth the same sound doctrine and with the same zest and *brio*.

Now that the nineteenth century draws to an end, there is evidence that literature and the drama, after their long separation, are to be remarried at last. Perhaps we are witnesses rather of the courtship than of the actual wedding; but we need no longer fear that any one will forbid the banns. This conjuncture makes the task of the critic at once more difficult and more necessary. Fortunately, the occasion called forth the man it required, in the person of Mr. William Archer, who is generally recognized as the foremost critic of the acted drama now using our language.

It is a good sign for the future of our stage that the English-speaking dramatists have now begun to publish their plays; for it is a proof that they are no longer satisfied with the applause of the spectator, but desire also the approval of the reader. Upon the dramatist lies the heavy burden that he ought to be able to support a double test—first, that of the theatre, and, second, that of the closet; and this also opens for him a double opportunity. With infrequent exceptions, the dramatic authors of France and of Germany have published their plays; and at last the dramatic authors of Great Britain and the United States are following this excellent example. So long as the plays themselves could be seen only on the stage, and so long as they became but memories as soon as they were taken from the boards, there was little call for any collection of the criticisms these plays had evoked. Now that the plays are in our hands to read, it is well that the most competent of contemporary critics should republish also his record and analysis of the impression they made upon him when they were acted in the theatre.

The half-dozen annual volumes of the "Theatrical World" in which Mr. Archer has collected his current comment on the acted drama of successive years are not only invaluable to the future inquirer into the conditions of the theatre at the end of the nineteenth century, but are also intensely interesting in themselves. Indeed, Mr. Archer's interest in the stage is contagious; and he can communicate it to his read-

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ers—except to such as may chance to be immune because of congenital distaste for the drama. And here he is rather like M. Sarcey than like M. Lemaître, who is a little too detached and dilettante. Mr. Archer has a shrewdness, a logic, a scholarly wit, and a flashing alertness not unlike M. Lemaître's; but he has also the deep love of the theatre, in all its phases, which inspires M. Sarcey and which makes them both take the stage seriously. At bottom M. Sarcey and Mr. Archer hold the theatre as one of the most important manifestations of human energy. So, no doubt, does M. Lemaître; but his Renanism leads him a little to question whether anything human can be very important. Moreover, while M. Lemaître is sometimes tempted to take the play he has under consideration merely as a text for brilliant disquisition on whichever of the broader problems of existence it may chance to suggest to him, Mr. Archer is like M. Sarcey in preferring to judge a play first of all as a play, with due regard to its technic, discussing its message chiefly when such a debate is made necessary by the author's treatment of his theme.

The French are the most accomplished critics of modern Europe; and their preëminence is perhaps more obvious in dramatic than in any other criticism,—the drama being the department of literature in which they have always been seen to best advantage. Therefore, to compare Mr. Archer with the two foremost French critics of the acted drama is to pay him a high compliment; but it is a comparison he has no reason to fear. His experience in the theatre—and nowhere else does mere experience count for so much—is, of course, not so long as M. Sarcey's; but it is far wider. The French critic knows only the stage of his own language; whereas the English critic knows not only the stage of his own language (in Great Britain and the United States), but that of France, of Germany, of Italy, and of Scandinavia. And whereas both M. Sarcey and M. Lemaître are a little parochial in their patriotism, Mr. Archer is wholly without insularity. He is cosmopolitan in his outlook; and, so far from resenting a foreign flavor in a foreign play, he relishes it keenly and savors the tang of it.

Perhaps the explanation of this may partly lie in the fact that Mr. Archer is a Scotchman and not an Englishman. It is England which is the stronghold of the Tories; while Scotland and Ireland and Wales are more liberal, not only in their opinions, but also in their social organization. Caste is still dominant in England: Scotland is more democratic in its structure. It was in England that Sir Aubrey de Vere found those extreme Tories who, as he phrased it, wished "to uninvent printing and to undiscover America." In more ways than one are the Scotch

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like the Yankees; and here perhaps we can see one of the causes of Mr. Archer's open-minded hospitality toward American plays and American players,—a liberality unfortunately not so common as it might be among his London colleagues. Certain of the conditions of life in Scotland are liker to those in New England than to those in England. The Scottish universities, for example, are more akin to the American colleges than they are to Oxford, that home of lost causes. It was from the University of Edinburgh that Mr. Archer graduated; being a belated contemporary of Robert Louis Stevenson, with whom in after years his friendship was close.

He studied law, and travelled; and then he turned to journalism. His beginning was obscure, as most beginnings are. He had to wear the mask of anonymity, which makes difficult any early recognition by the public. He emerged into the light with his first book, "English Dramatists of To-Day," published in 1882, when as yet there was no sign of that revival of intelligent interest in the theatre which was to come almost immediately, and for the coming of which his collected criticism was a preparation. Robertson's teacup-and-saucer comediettas had already been put on the shelf; Boucicault's twice-told plots had already worn out their welcome; and the blank verse of Wills and Mr. Gilbert did not furnish a hearty meal for an English critic keen set at the sight of the feast then spread before the French critics, who were called upon frequently to discuss new plays by Augier and Dumas *fils*, by Labiche and Meilhac and Halévy.

In 1882 Mr. Pinero was but a promise of the future; four years later he had become an accomplished fact; and it was in 1886 that Mr. Archer published his second book, "About the Theatre,"—essays on one or another aspect of dramatic or histrionic art. In the opening chapter he dwelt on the advance made since the appearance of the earlier volume. In another essay he discussed the ethics of theatrical criticism. In a third paper he analyzed acutely the influence of the practice of acting upon the performer himself.

Perhaps it was this last essay which suggested to him the very interesting inquiry the results of which were published in 1888 in "Masks or Faces? a Study in the Psychology of Acting." Diderot's famous "Paradoxe sur le Comédien"—which is an attempt to prove that Horace is wrong and that the artist must not feel if he wishes to make others feel—had become a theme of discussion. The foremost actor of France, M. Coquelin, had accepted Diderot's assertion absolutely, holding that "this paradox is the truth itself." The foremost actor of England, Sir

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(then Mr.) Henry Irving, in an introduction to an English translation of Diderot's dialogue, had denied its truth with almost equal emphasis. Here was Mr. Archer's occasion. He sent a set of questions to the leading performers of Great Britain and the United States, asking them when they lost themselves in their parts, and how and why and why not; and he supplemented the answers he received to this catechism of the comedians with a thorough examination of such further information as might be gleaned from the abundant library of histrionic biography. In his discussion of the mass of contradictory material thus collected, Mr. Archer proved the possession of his full share of Scotch philosophic acumen; and hereafter this solid work of his must be the basis of any serious consideration of the essential conditions of the art of acting.

Less important than "Masks or Faces?"—but calling for record here—are certain other of Mr. Archer's publications, some of them earlier and some of them later. He issued in 1883 a critical study of "Henry Irving, Actor and Manager." He planned and edited a series of lives of "Eminent Actors," to which he himself contributed in 1890 an admirable biography of Macready—admirable especially in the fairness and the fulness with which he treated the fatal quarrel between the British actor and Edwin Forrest. With his friend Mr. R. W. Lowe—to whom all students of the stage are eternally indebted for a worthy edition of Colley Cibber's immortal "Apology"—Mr. Archer has also edited and amply annotated three collections of the more interesting dramatic criticisms of his English predecessors, one volume of Hazlitt's, another of Leigh Hunt's, and a third divided between Lewes and John Forster (the biographer of Dickens, the friend of Macready, and the enemy of Forrest). As a translator Mr. Archer has also laid us under obligation by Englishing the prose plays of Ibsen, the short stories of Kielland, and the critical biography of Shakespeare by Dr. Brandes.

Between the publication of "English Dramatists of To-Day" and his undertaking of the investigation into the foundations of the histrionic art embodied in "Masks or Faces?" Mr. Archer had become one of the best known of English critics of the acted drama. He had learnt his trade by that time, and was master of his tools. Although he took the art of the stage seriously, he was never pedantic or pedagogic in his manner, but managed to be light and graceful even in dealing with ethical intricacies. He proved early that he was not one of the Scots who joke with difficulty,—indeed, his writing is distinctly witty, with the playful allusiveness natural to a well-furnished mind. He already wrote admirable English, although with an apparent ease and absence of effort

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that might not satisfy those whose ideal is rather the steam-dried style of Pater or the verbal mosaics of Stevenson. He had joined the staff of the weekly "World" of London; and his articles were thereafter identified by his initials. Although the practice of contemporary journalism throughout the English-speaking community still permits criticisms which are not warranted by the signatures of their writers, there is a growing conviction that an anonymous review is almost as unworthy a thing as an anonymous letter. Whether Mr. Archer is of this opinion or not, his rapid development, when he was allowed to speak for himself and in his own person, is evidence in favor of the swifter adoption of the French system of signing.

Equally rapid was Mr. Archer's rise in reputation. Indeed, for a dozen years now Mr. Archer's supremacy among English dramatic critics has been indisputable. More than any of the others has he the fourfold qualification of the merely literary critic—insight and equipment, sympathy and disinterestedness. More than any other has he the threefold qualification of the purely theatrical critic,—an understanding of the principles of three arts all closely related and yet wholly distinct, the art of the playwright, the art of the actor, and the art of the stage-manager.

Diderot wrote a "Paradox on the Comedian"; but he failed to formulate what might fairly be called "The Paradox of the Dramatic Critic." By this I mean to suggest the double disability under which the dramatic critic must always labor when he is a spectator at the first night of a new play. Perforce he has to judge the play through the performance; and he has to judge the performers as the play may chance to allow them to evince their ability. More than once has bad acting betrayed a good piece; and more than once has excellent acting cheated those who were charmed by it into a belief that the play itself was far better than it really was. The critic of painting can take his place before a picture, and study it at his leisure; seeing it as it is directly, and not through any distorting medium. The critic of literature can read as carefully as he chooses, even turning back to reread when he thinks this necessary; and he has in his hand the book, complete in itself, making its appeal immediately and without calling in the aid of anything else. But the critic of the acted drama can perceive a new play only through the refracting lens of the first performance, as that glides swiftly past his eyes. It is true that an intimate acquaintance with the theatre, an immense experience of the stage, an ever-alert cautiousness, sometimes seem to enable some dramatic critics to develop a sixth sense, as it were,

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by which this double difficulty can be overcome; and in the surmounting of this disadvantage I know of no one who has been so fortunate as Mr. Archer—with the possible exception of M. Sarcey.

In the introduction to his "English Dramatists of To-Day" Mr. Archer pointed out that the drama in England was then flourishing as "a non-literary product," and that it did "not exist as literature"; and he expressed a wish that there might arise in Great Britain "a body of playwrights, however small, whose works are not only acted, but printed and read." And he declared that he did not, in his "most sanguine moments, venture to hope that this nineteenth century will witness its attainment." That was written late in 1882; and this paper is written early in 1899, not seventeen full years after: the nineteenth century has not come to its final year; but Mr. Archer's hope has been realized. It is possible now to buy and to read not a few of the plays of Mr. W. S. Gilbert, Mr. A. W. Pinero, Mr. H. A. Jones, Mr. Anthony Hope, and Mr. Augustus Thomas; and it seems probable that sooner or later we shall be able to purchase and to peruse those of Mr. Bronson Howard, Mr. William Gillette, and Mr. Sydney Grundy. To say this is to say that the dramatist has awakened to his double opportunity, and is striving to rise abreast of it.

In the bringing about of this uplifting of contemporary English dramatic literature no single influence has been so potent as that of Mr. Archer. As a translator of Ibsen, he revealed how a technic of a most skilful simplicity could be applied to problems of pressing importance. As a critic of the acted drama, he was unfailingly encouraging to every playwright who showed the slightest inclination to think for himself—or even to think at all. He was not intolerant of any type of play; nor was he hostile to any form of dramatic art, as any one can see by consulting the five annual volumes of "The Theatrical World" in which he reprinted his weekly reviews of the London theatre.

It is to the public rather than to the playwright that the critics owe their plainest duty. Their obligation it is, not to give advice to the artist,—for he is a feeble craftsman who does not know his trade better than any outsider can,—but to report to the possible playgoer what manner of play this is that has been produced, wherein it seems to them good, and what its blemishes are. Only indirectly do the critics influence the artist, by influencing the public, by creating currents of opinion with which the artist floats unconsciously, or against which he reacts sturdily. As Lowell said, the force of public opinion is like the pressure of the atmosphere,—you cannot see it; but it is fifteen pounds to the

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square inch nevertheless. To Mr. Archer, more than to any one else, is due the existence of a sympathetic welcome for the efforts of a dramatist here and there to step out of the beaten track and to blaze his own trail. More often than not these efforts are futile enough; but now and again they do not fail,—and even the failures are instructive and interesting to any one who is on the lookout for the little cloud no larger than a man's hand which is to bring the fertilizing rain.

In the main, Mr. Archer's criticism is sympathetic, although his sympathy is sane always and never sentimental. He has his antipathies also; as a Scotchman, he is probably a good hater; but we find no protruding of petty animosities in his pages. Certain things in the theatre of to-day he detests; and he says what he thinks: but he does not dwell on these things again and again, losing his temper. He drops on them a few words of scorching scorn, as he passes by, and then gives his time rather to the things he likes, to the things that are worth while. Here he is at odds with those who cry aloud for a slashing criticism that shall free the land of humbugs and pretenders and quacks. But he is in agreement with the practice of all the foremost critics of the past: he is in agreement with the formal theory of the foremost critic of our century. Goethe confessed that he was

"more and more convinced that whenever one has to vent an opinion on the actions or on the writings of others, unless this be done from a certain one-sided enthusiasm, or from a loving interest in the person or the work, the result is hardly worth gathering up. Sympathy and enjoyment in what we see are, in fact, the only realities."

BRANDER MATTHEWS.

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